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THE
Parliamentary Debates

FROM
THE YEAR
1803
TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

VOL. XXII.
COMPRISING THE PERIOD
FROM
THE SEVENTEENTH DAY OF MARCH
TO
THE FOURTH DAY OF MAY
1812.

L O N D O N :

PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN; CRADOCK AND JOY;
J. BOOKER; J. BOOTH; J. RICHARDSON; BLACK, PARRY, AND CO.; E. JEFFERY;
J. HATCHARD; J. RIDGWAY; BUDD AND CALKIN; J. RODWELL; R. H. EVANS;
AND
T. C. HANSARD, PRINTER, PETERBOROUGH-COURT, FLEET-STREET.

1812.

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Parliamentary Debates

During the Sixth Session of the Fourth Parliament of the United Kingdom of Great Britain and Ireland, and of the Kingdom of Great Britain the Twenty-first, appointed to meet at Westminster, the Seventh Day of January, One Thousand Eight Hundred and Twelve, in the Fifty-second Year of the Reign of His Majesty King GEORGE the Third.

HOUSE OF COMMONS.

Tuesday, March 17, 1812.

PETITION FROM THE FRAME WORK KNITTERS OF LEICESTER AGAINST THE ORDERS IN COUNCIL.] Mr. *Samuel Smith* presented a Petition from the Frame Work Knitters of Leicester, praying for the Repeal of the Orders in Council, in as far as regarded America, and also against the renewal of the East India Company's charter. The hon. member assured the House, that the present Petitioners had uniformly conducted themselves in the most orderly and becoming manner, and now came to the House, praying that the final stab might not, by a war with America, be a ruin to their manufactures. The present Petition was signed by 11,000 persons.

Mr. *Babington* concurred in bearing testimony to the temperate and orderly conduct of the manufacturers in Leicestershire, who cast their eyes only to that House for relief. They now trusted to the wisdom of that House to avert from them, in the words of their Petition, the greatest of all calamities, starvation in a land of plenty.

The Petition was then read, setting forth "That the Petitioners feel themselves sorely aggrieved on account of the sad depression in their trade: and that it most clearly appears to them that the Orders in Council, as they relate to America, are the cause of this falling off of our com-

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merce; and that the Petitioners have been kept at restricted employ by the various speculations which have been carried on by their employers, in the hope that the Orders in Council would be repealed, and that ultimately a good understanding might be brought about between this country and America; and that, from this, it is clear that the measure prayed for is the last hope of the Petitioners; and, though they would not presume to dictate to the House, yet they cannot but consider America as placed by the belligerents in a most critical situation, and, as a war with one of the contending powers may be the result, a repeal of the Orders would, in fact, be a stumbling-block to France, and America would probably open her ports to our vessels, and throw herself on our protection; and that the Petitioners see with much concern the charter of the East India Company about to be renewed, seeing they engross the whole of the trade to the Eastern seas, without any advantage to the country, but only to themselves; and praying the House to take their Petition into early and serious consideration, and to adopt such measures thereon as to them shall seem meet."

Ordered to lie upon the table.

PETITION FROM BELFAST RESPECTING COIN.] Lord *Castlereagh* presented a Petition from the inhabitants of the town and neighbourhood of Belfast, setting forth,

(B)

Now if he was rightly informed, gold was diminishing in price, and therefore the attempt to continue the Bill only shewed that ministers were determined to have such a Bill in all cases, and at any rate. Though the price of gold was now actually diminished, it was however by no means in consequence of the Bill of last session, because gold rose in price for some months after it passed, and the greatest distress was experienced in the western parts of England, particularly for want of silver to carry on the common concerns of trade; and in most towns the inhabitants were under the necessity of issuing out tokens of their own, to avoid a total stagnation of the most ordinary business. Another reason against renewing the Bill, was, that it had failed in one of its principal objects, viz. that of preventing more than one-and-twenty-shillings being given for a guinea. The Bill only provided against giving more than a Bank-note and a shilling for a guinea; but by changing the Bank of England for country bank-notes, you might add as many shillings to those as you pleased, and could not be hurt for it; so that it was daily and hourly evaded with impunity. As a proof of this, there had only one conviction taken place since passing the Act, and that was of a man seduced into the transaction by a police-officer sent on purpose to trepan him into the fact. The provisions of the Act had not been accomplished, nor would be accomplished: and he hoped, therefore, the House would exercise its discretion, before it gave a sanction to the renewal of such a Bill. As to the new clause proposed by the right hon. gentleman, and which went not only materially to alter the Bill, but also to substitute a fictitious circulating medium, as a legal tender for payment, in lieu of the standard coin of the realm, he conjured the House to pause before they consented to entertain a proposition so ruinous to the credit and to the vital interests of the country.

Lord Castlereagh was not disposed at present to go into any arguments on the Bill, as frequent opportunities would hereafter occur for the discussion of its merits. He should only notice that the noble lord seemed to adhere to the opinions entertained by him last session, and to press his opposition before the Bill was brought in. He wished to correct him in two points, in which he appeared to be under misapprehension with respect to what he

(lord C.) and his right hon. friend had stated. The reason which he had for not extending the measure to Ireland last session; was on account of the absence of many Irish members, and not from any view that it would not be desirable for that country. He had stated that it was his opinion that the circumstances of Ireland, in a certain degree, varied from those of England, so as to exclude at that time its introduction. As to the supposed pledge of his right hon. friend, he apprehended, that he had stated quite the reverse of what the noble lord had imputed to him; for his right hon. friend had stated, that if nothing short of making Bank notes a legal tender would serve to correct the evil, a remedy to that extent must be applied. He thought, that so long as the Bank of England were prohibited by law from paying their notes in gold, the legislature owed it to the subject to protect him against any demands which were not under these circumstances equitable; because, by not affording that protection, great injustice might be done to the subjects of the realm. In that opinion his right hon. friend had coincided. With respect to the practice in Belfast and its vicinity, the noble lord was misinformed, for the practice was the reverse of what he had stated; contracts were made there to pay in pounds sterling, and not in gold. Guineas had ceased to be the circulating medium, and therefore the subject could not pay his debts in gold; and ought to be protected by law from being called upon to do that which it was totally out of his power to effect.

Lord Folkestone explained, that he had a clear recollection on both the points, in which the noble lord had supposed him to be in error.

Mr. Tierney would not oppose the motion for leave to bring in the Bill, but observed that it was very evident from the speech of the right hon. gentleman himself, that the country was already in the situation which had been predicted last session, namely, in a situation of moving from bad to worse. He asked in what respect did this measure fall short of making Bank notes a legal tender? The answer was, that they were to be legal tenders only in a court of justice. But what law was there which could compel any man to part with his goods or property contrary to his inclination? The fact was, that this Bill went to affect immediately all interests and every class of society. If he

were to buy 1,000*l.* worth of plate, would he not be perfectly secure in paying for the commodity in Bank notes? If the silversmith brought an action in a court of law, the payment into court of 1,000*l.* in Bank notes would be an acquittal of the defendant. And how then could this Bill be said not to go the full length of making these notes a legal tender? He implored the House to consider well this subject before they came to a decision upon it. Unless he could himself perceive an altered disposition in the House, he should deem all endeavour at argument superfluous and unnecessary, for, after the protracted and lucid discussion which the measure of last session had undergone, after the able report which had been presented by the committee on the subject, nothing could be expected from opposition but obloquy, and the man who stood forward against the Bill would be accused of a wish to subvert public credit. At the same time, he had that opinion of the right hon. gentleman's good sense as to believe, that he had experienced no small degree of pain in coming to a resolution to submit such a proposition to the House. He knew indeed that the right hon. gentleman dared not meddle with the Bank.—He knew that the government had proceeded so far, that the Bank had become its masters, and the masters of the finance of the country.—It remained therefore for that House to resume its character and exercise its duties, by shewing to the Bank that at least parliament was above them, and was determined to protect the credit of the country. He could not see in what manner it would fall short of a direct fraud, to compel the subject to take in payment for goods of real value a paper, the value of which it was impossible for him to ascertain. There had been much talk of the French assignats, but in one point of view their forced circulation was less atrocious than that of Bank-notes, inasmuch as the assignats were grounded on some sort of pledged security, on national domains, the property of the state. [Here the Chancellor of the Exchequer smiled.]—The right hon. gentleman smiled at his venturing to contrast the enormous issues of the French government with those of the Bank of England; but he was prepared to contend that the French did at least seek to save appearances, which was more than the right hon. gentleman thought it worth his care to do. This new manifestation of his views and intentions, ought to make

every man of property pause before he any longer placed his confidence in parliament, which was now about to sanction a measure that must necessarily prove a mortal blow to the credit of the Bank itself. The Bank had now no other interest than the interests of their own monopoly to attend to. The time once was when their corporate interests went hand in hand with the commercial and financial interests of the country; but they had now become distinct and separate, and no other security remained for the public but the forbearance of the Bank. He meant no reflection whatever on the individual characters of the directors—with many of them he had lived in habits of personal confidence; for some of whom he had the highest personal esteem. But as a corporate body their conduct had no claim on his respect—they had in that capacity deserved no confidence, except the confidence of the right hon. gentleman, whom they were always prepared to accommodate. He knew of nothing that they had done for the promotion of the public interests, but he knew of much for the gratification of their own thirst and eagerness of gain. It was now incumbent on them to shew what they had hitherto pertinaciously concealed—he meant the real amount of their profits since the suspension of cash payments. As soon as the immediate question should be disposed of, he would take the liberty of moving for this account, as well as for a committee to inquire into the state of the affairs of the Bank. This might serve to shew that there were some who did not shrink from doing their duty on this occasion, and who wished to warn the House upon the new and perilous crisis to which they were arriving. He would at least not be one of those to lead the people of this country *ad ignotum per ignota* to a situation in which the establishment of a legal tender would leave no other security than the gold and silver in the actual possession of the Bank. He did not mean to say that for every note that was issued a corresponding sum should be kept in its coffers, but when he saw the directors and the right hon. gentleman in league together to give a forced currency to Bank notes, he had a right to satisfy himself about the intrinsic value of those notes. He recollected that one of the governors of the Bank had last session represented himself as entertaining considerable objections to the measure of a legal tender, and he should be now

ment respecting sinecure places. In both instances the parties would be benefitted; and gain more credit by enquiry. The longer we went on in the present fatal paper system, the worse should we find our situation. The deputy governor of the Bank was last year against the legal tender; now he had a little changed his opinion. What it might be next year it was not possible to tell. One circumstance was important. A Bill lay on the table to make the embezzlement of property a higher crime, in consequence of the repeated failures of bankers, and other occurrences. The misconduct of the bankers was owing in a great degree to the change of the practice at the Bank since the restrictions on their cash payments. After that restriction they offered their discounts in an unprecedented manner, and the bankers lost sight of all prudence and circumspection: the results of which had produced astonishing occurrences. The discount system had been carried to an extent almost incredible. Every failure of this sort had been owing to the conduct of the Bank of England; whereas, formerly, the bankruptcy of a banker was a very rare thing. That of *Fordyce*, many years back, was still talked of: such an event was formerly thought to be like a dreadful fire, or a plague: fit to be registered in a chronological table. But now, by the new plan, in the course of eleven years, there had been eleven bankers in the *Gazette*, out of the sixty in London. Their failures were likely to be as common as those of underwriters or any other traders whatever. Every one of these bankrupt bankers had kept a discount account with the Bank of England. He had not the list in his pocket, or he could read the proofs of his assertion to the House. None had failed who did not carry on such accounts. He viewed the Bank as useful and absolutely necessary, and on that account felt that any abuse of it ought to be guarded against. He knew indeed that the governor and directors were bound by an oath, but it was an oath which related to their duties only as a corporate body.

Mr. *Manning* explained, and re-stated, that lord Stanhope's Bill was not desired by the Bank.

Mr. *Baring* said, that if we went on year after year borrowing, while we diminished our means of repayment, the nation like an individual, must come to a bankruptcy. If there were any reasonable

doubts of the Bank's solvency, a good reason would be furnished for appointing a committee; but he could not understand his right hon. friend (Mr. Tierney), when he called the Bank rich and prosperous, and afterwards said they might be in a state of bankruptcy. The truth was, that the Bank had it not in their power at the present moment to pay their debts in bullion, not having sufficient in their possession; and it was useless to endeavour to make them perform impossibilities. He believed that only a few bankers applied to the Bank for discounts, since it would rather affect their credit to do so, as it would affect that of an eminent merchant. As the motion might tend to excite distrust in the country with respect to the solvency of the Bank, he could not give it his support.

Mr. *Hibbert* supported the motion. It would be a great evil to make a Bank-note a legal tender. He bore testimony to the honourable conduct of the Bank Directors, who, he believed, acted from the purest ideas of supporting commerce; but he thought that there would be great doubts in the public mind, unless parliament appointed a committee, as they had done in 1797.

Mr. *Abercromby* begged to call the attention of the House to the admission made by an hon. Bank Director (Mr. Baring) who acknowledged that perseverance in the present system would be attended with the ultimate ruin of the country, and yet contended, that not persevering in it would be equally destructive, because it would prevent us from vigorously prosecuting the war. Surely, when men of so much experience involved themselves in such evident contradictions, it was reasonable that some enquiry should be made. There was no guarantee that the Bank of England should not either increase their debt or diminish the small quantity of bullion remaining in their hands. When to these circumstances was subjoined, the declaration of the deputy governor of the Bank of England, that every acre of land in the country was pledged for the payment of their notes, he thought there could be no hesitation in appointing the committee.

Mr. *Manning* explained that he had said, that his own land as well as that of every other proprietor, was answerable in a due proportion for the payment of the Exchequer Bills, which was a public debt of the nation.

Mr. *Baring* said, the observation he had made was, that there was not a sufficiency of bullion to enable the Bank to resume cash payments.

Mr. *Tierney*, in reply, insisted that the issue of Bank notes had been greatly augmented since the year 1797, and as Exchequer Bills were secured by the notes, the landed property of the country was put in jeopardy at the will of the directors of the Bank of England. He begged to know if the other side of the House would consent to the production of an account shewing the quantity of Exchequer Bills purchased by the Bank of England from government in the public market, which had been hitherto withheld?

The *Chancellor of the Exchequer*, in answer to the declaration of an hon. and learned gentleman, that all the land of the country might be confiscated to pay the Exchequer Bills in the possession of the Bank, observed, that it might as well be said, that a gentleman possessed of an estate of 10,000*l.* a year, and having a mortgage of 10,000*l.* upon it, ran a risk of having all his land confiscated; for the Bank could not possess more Exchequer Bills than were issued by government, viz. 43 or 44 millions. On the subject of the motion, he thought that on the right hon. gentleman's own showing it ought not to be acceded to; for the right hon. gentleman asserted that the Bank was an extravagantly overgrown and rich corporation. What necessity then for an enquiry into its situation? As to the security for Bank notes, it was ample. Besides the assets in the hands of the Bank, it should be recollected, that Bank notes were receivable at the Exchequer, and that double the whole amount in circulation was received there yearly.

Mr. *Tierney*, in explanation, said, that he had not represented the Bank as great and flourishing, and abounding in wealth. He allowed that they had made great profits; but his next motion would shew how he thought they had dissipated those profits. In consequence of the restrictions imposed on their payment in specie, the Bank had certainly made enormous profits; but these they had divided among themselves, and for aught he and the country knew, had left nothing for their creditors.

The motion was put, and negatived without a division.

Mr. *Tierney* then moved for an account of all sums divided by the Bank of England, on their capital, from 5th Jan. 1797, (VOL. XXII.)

to 5th Jan. 1812, specifying the sum in each year.

Mr. *Manning* thought this motion an unnecessary interference with the internal concerns of the Bank. Every one knew what those dividends had been.

Mr. *Barham*, although he objected to the former motion, supported this, on the ground that all possible information on the state of the Bank should be afforded to the public.

Mr. *Grenfell* stated, that the bonuses divided among the proprietors of Bank stock, since 1787, amounted to 32½ per cent. on the capital.

Mr. *Baring* thought the motion unnecessary. It would not give the House any information that was not already in their possession.

Mr. *Murray* contended, that it was never intended by the restrictions on the payment in specie, that the Bank should make the large sum which they had made out of the public distress. He attributed their unwillingness to show the state in which they were, not to any doubt of their solvency, but to their being ashamed of their profits. There was a provision in the charter of the Bank of England which required that a meeting should be called twice a year, at which meeting the profits of the Company should be exhibited. This provision had hitherto not been complied with; no doubt lest the public should be made acquainted with the enormous profits divided by the proprietors.

The motion was then negatived without a division.

PLYMOUTH BREAKWATER.] Mr. *Lushington* brought up the report of the Committee of Supply. On the motion for agreeing to the resolution for granting 80,000*l.* to commence a Breakwater in Plymouth Sound,

Sir *Home Popham* said:—Mr. Speaker, I did not presume to trespass upon the patience of the House, when it was in a committee on the subject of Plymouth Breakwater. It was in deference, Sir, to the many senior and much more enlightened officers who are now in your presence; I avail myself, however, of this opportunity to record my sentiments on the subject. I am anxious to do so, as two reports have been industriously circulated, which have no foundation; the first, that I intended to resist the grant. On the contrary, Sir, I think too much credit cannot be given to the First Lord of the Ad- (C)

miralty for bringing forward this measure; and I think there is no officer in the British navy who will resist the application of money to give security to the roadssteads of this country. The second report was, that I had a plan of my own to propose. I really, Sir, have no such thing in contemplation: I was called upon by the government of 1805 to give an opinion on the practicability of establishing Breakwaters, and the best mode of doing it. I did so, Sir, but it was on condition that my opinion should not be publicly acted upon, without my going down to Plymouth and examining the Sound thoroughly to enable me to revise that opinion; but I recommended, in the strongest manner, that a committee of experienced naval officers, with an engineer, should be sent there to examine the sets of tides, &c. and a variety of other technicalities with which it is not necessary to trouble the House, as many of its members, both in and out of office, have read that report. Quite satisfied, Sir, that a more able man than Mr. Rennie cannot be found, I am equally satisfied of the great advantage which the service has derived from the works which Mr. Bentham has continued at Portsmouth: and, as civil engineer to the navy, I wonder he was not consulted. I think the country would have been better satisfied, if they could have seen attached to the reports, the name of the present commander-in-chief at Plymouth, the appointment of whom has done so much credit to the present First Lord of the Admiralty. This gallant officer might have called to his assistance his second in command, another very meritorious officer, and the captain of the *St. Salvador*, captain Nash, than whom a more zealous officer, or a better practical seaman, does not exist in any service in the known world.—A report, backed by such officers, would have had the greatest weight in the country, and would have rendered it unnecessary to offer a word upon the subject. When I mention committees, I am completely within the practice of the present board: for I had the honour of being attached to a committee, consisting of three flag officers and a captain, to examine a gun carriage; and if this committee, with the exception of myself, had been appointed to examine Plymouth Sound, and report accordingly, the House would have had such an authority to have acted upon, as would have made all discussion unnecessary. This, Sir, is a subject on which

professional men have a great difference of opinion; indeed, Sir, the very men whose reports are upon your table, differ as much as possible. The one says there is ample room within the Breakwater to moor fifty sail of the line, and that they can weigh at any time, and with all winds. Another says thirty-six sail of the line; and a third tells you he agrees in general to the reports, but he would rather sign for thirty sail. The First Lord of the Admiralty last night reduced his opinion to twenty: and I do say that if the work can be accomplished to that extent, it will be a wonderful improvement, and do great honour to the present First Lord. I cannot, Sir, carry my views to this extent: I do not mean to say that in the area described within the Breakwater, thirty-six sail of the line may not be placed in fine weather to a mathematical nicety. The reports tell us, that when a ship is taking up her lee anchor, her gun-room port will be eight fathom from the weather anchor of the ship astern of her: I know that ships may lie closer, but that must be in deep water, where there is no chance of ships striking upon each other's anchor. The first great feeling of responsibility will be running in, and anchoring twenty, or even fifteen sail of the line, in a heavy gale from the south-south west, in the confined space of one mile by a large quarter wide; and if I had the honour of such a charge, I should feel great uneasiness, and that I was running into this confined spot under some degree of risk. I am not quite satisfied about the effect of this Breakwater upon Cawsand bay, it may possibly injure it; and Cawsand bay has proved a valuable anchorage, under particular circumstances. The First Lord of the Admiralty alluded to the state of the enemy's ships, that their activity in building was beyond conception, and although they had now but one ship of the line in Brest water, they might soon have thirty-six, the same number which he proposed to place under the Breakwater. If this thirty-six sail of the line should be caught within this Breakwater, in a strong wind from south to S. S. E. the enemy's fleet might sail from Brest to Ireland, and reach it, before (including the time for intelligence) our fleet could well get out of Plymouth Sound. The distance from Plymouth and Brest to Ireland, is nearly the same. In such a situation of things, Sir, the enemy would be invited to invade Ireland, for who is there who will venture to contra-

dict me, when I assert, that Ireland will be the stepping-stone to the invasion of England, and not England to the invasion of Ireland? Then, Sir, would it not be a wise measure, to apply this vote to a naval establishment in Bantry bay, would it not conciliate the affections of the people, and would it not shew that you were determined to treat them with confidence, and afford them the best protection against the common enemy? Sir, I will only detain the House to say, that although I do not think the Breakwater will by any means answer to the effect of the calculation upon your table: yet the right hon. gentleman has every credit for bringing forward any proposition to improve our roadsteads. I am sorry to differ as to the extent of advantage, and in some respects as to the mode of proceeding; but on the great principle of improving our naval establishments, I certainly concur. With respect to what fell from the right hon. gentleman on the subject of Cherbourg, I can only say, that while I had the honour of commanding that blockade, in the absence of a most experienced and gallant officer, captain Malcolm, I saw with astonishment the activity with which the enemy was building his line of battle ships, completing the works about his basin, and the Breakwater which formed his roadstead.

Captain *Beresford* thought the Breakwater would not injure Plymouth Sound; and that if it should only hold four or five sail it was worth the expence. The enemy could not get out of Brest with a south wind.

Sir *Joseph Yorke* spoke in favour of the measure; and hoped that the hon. and gallant officer (sir H. Popham) would not press the question of opposing a committee of naval officers. He should have no hesitation of running into the Breakwater in a gale of wind, for which, in his opinion, his right hon. relation (Mr. Yorke) would long live in the recollection of the navy.

Sir *R. Bickerton* approved of the measure.

Mr. *Herbert*, of Kerry, said, that sir Samuel Bentham had asserted his having seen his plan carried into execution in foreign parts. Had this been enquired into?

Mr. *Whitbread* had the highest respect for Mr. Rennie as a civil engineer; but at the same time he thought any thing coming from sir Samuel Bentham, civil engineer of the navy, was deserving of great consideration, some of whose objections to

Mr. Rennie's plan, owing to some informality were, he understood, never yet examined into. It might be questioned whether the improvement was equal to the expence, which although estimated at 1,100,000*l.* would in the end probably amount to two millions; and it might also now be doubted from the opinions delivered, whether this work would bring about any relaxation in the blockading system. He was glad, however, that something was likely to be done; nothing being so bad as indecision; yet before going too far it might be advisable to enquire farther into the practicability of the measure.

Sir *Charles Pole* held the objection of a fleet getting out of Brest before it was possible to get out of the Breakwater perfectly nugatory. He lamented that the work was not begun in 1806.

Lord *Cochrane* imputed the supposed necessity for this Breakwater to the usage of making men of war take in their masts, &c. in open roadsteads, instead of going into harbour for that purpose; a practice which occasioned the greatest discontent in the navy, as it prevented the sailors from ever getting on shore. Under the existing circumstances of the country, he thought every expence not absolutely necessary ought to be avoided, but, if he might be permitted to do so, he would move as an amendment to the question before the House, "That towards the construction of this Breakwater, a duty of 50 per cent. be levied on all Sinecures, which the committees of parliament had declared ought to be abolished, and a duty of 20 per cent. on all other sinecures."

The *Speaker* observed, that it was not competent to the noble lord to make such an amendment. All that the House could do was, directly to assent to or dissent from the motion for agreeing to the resolution.

Lord *Cochrane* said, that the money which, according to his proposition, might be raised from the holders of revenue offices, would be much better employed in dropping stones into Plymouth Sound, than in giving Burgundy, Champagne, and dances to the ladies of London.

Mr. *Baring* thought the proposed naval arsenal at Northfleet more necessary than the Breakwater in Plymouth Sound.

Mr. *Yorke* said, the Breakwater would in a very few years, by the saving it would occasion, more than repay its expence. He thought that both the arsenal at North-

fleet and the present work were necessary; and that we had not yet done enough. Mr. Bentham was not, as had been stated, civil engineer of the navy, and had at present sufficient occupation in his own department. The sum wanted at present was merely to enable the necessary preparations to be made; and no pains would be spared to get information with respect to the carrying the plan into execution.

The resolution was then put and agreed to.

HOUSE OF LORDS.

Wednesday, March 18.

MUTINY BILL.] The order of the day being read, for the House to go into a Committee on the above Bill,

Earl Grosvenor rose and said, it would depend very much on the answers he should receive from the noble Secretary of State for the War Department, whether he would assent to the Bill then going into the committee, or move that the order should now be discharged, that it might be renewable for a future day. There were some very important points, connected with the military exertions of the country, on which he wished to receive information; and he would state to the House what he had himself heard, and which, if true, was highly deserving of their lordships' most serious consideration. He had learned that the practice had lately obtained footing in the army, of transferring large bodies of persons, sentenced to imprisonment on board the hulks, to be attached to regular regiments. To the proceeding which had heretofore prevailed, he meant not to object. No good reason could be assigned against the introduction of a few persons into the army, who felt sincere contrition for their improper conduct. To prevent them would be an offence against humanity, for it was only giving to those, whose errors were venial, and who saw them in their true light, an opportunity to retrieve their character, and to improve themselves in society, if they were recommended as worthy of that favour; and, without such a recommendation, no secondary consideration should induce government to commute their punishment for service in the army. But, had they been always thus introduced in small bodies, that dissatisfaction which was felt in particular regiments, which beheld them entering the service, as it were, in armies, would never have existed,

and he would not have had to complain of so mischievous a system.—The next point on which he would touch, though not immediately coming under the cognizance of the noble Secretary opposite, was certainly connected with the situation of the illustrious Commander in Chief. He alluded to a report which had been spread, that orders had been issued to the recruiting sergeants of certain regiments not to enlist Irishmen, while foreigners were admitted without scruple. Why this exclusion should prevail, he knew not. It had been said, indeed, that the Irish were addicted to desertion. He gave no credit to this calumny; for he knew there were no braver, more generous, or more faithful soldiers than those of Ireland. They received any kindness done to them with gratitude; they repaid it with unvarying affection; and if they ever did desert, it arose from severity of treatment. He expected an answer from the noble Secretary, whether such orders had ever been in existence, and, if they had, whether they were now annulled?—He next came to the establishment of schools for the education of the military, a measure, which reflected infinite honour on the illustrious individual at the head of the army, as shewing an earnest desire to call the attention of the soldiery to their best interests. With respect to the system which had been adopted, he wished to make one or two remarks. In the first place, he understood that these military schools were founded on the principles of the established religion of the country. To that there certainly could be no objection. He had also been informed, that the mode of instruction introduced in those schools, was the same as that made use of at Madras. Neither, he thought, could any fault be found with that proceeding. But a very strange feeling appeared to have gone abroad on this subject. Many persons imagined, from a paragraph in the Address of the Society who espoused the Madras method of education, that those schools were not only to be founded on the principles of the established religion, but that Dr. Bell's system, as at present developed, should alone be permitted, and that no alteration whatever should be allowed. If any improvement, however excellent, were proposed by Mr. Lancaster, or by any other individual, it was to be rejected; although tending to forward the great plan of national education. That such an opinion prevailed, absurd as it was, he felt perfectly convinced; and he

stated it only for this reason, that the principle which many persons considered those schools as established on, and which feeling was calculated to do much mischief, might be officially disproved.—The noble earl next adverted to the compulsion which had been used to force the attendance of the soldiery at those schools. Undoubtedly, by the law, they might be compelled, by their commanding officers, to attend to their military duties; but that law, in his opinion, could scarcely be considered more powerful in compelling them to attend school, than it would be to force them to learn to dance, or to become masters of any other acquirement, not necessarily connected with their regular duties. But as the education which the soldier was likely to receive, must be extremely useful to him in every situation of life, he thought all disgust at attending military schools would gradually subside, and, therefore, no enactment appeared to him necessary on the subject.—His lordship then called the attention of the House to a subject which, at the present moment, was extremely important—he meant the mode of recruiting for the army. He lamented, most deeply, that the system which had been formed, in 1806, by a great statesman, the late Mr. Windham, was not pursued. If the House looked to the enlistment in the year he had mentioned, and compared it with the returns in the present, the falling off in the latter, if they took away from the account the numbers who had been drafted from the militia, would be found lamentable indeed; and the more so, as, by the volunteering system, the militia, the constitutional force of the country, was likely to be ruined. He would ask the noble Secretary, what course he intended to pursue? Whether he intended totally to discountenance that system, which his predecessor in office (lord Castlereagh) declared he would not discourage, but which, in reality, he had discouraged? After the short trial that system had had, which led to very great advantages, that noble lord professed, that he would not do it away altogether; he would not completely discourage it. But it was impossible not to feel, that the strong opinions expressed by that noble lord on the subject, must have had a powerful effect throughout the country; an effect hostile to that system to which he was known not to be friendly. He demanded of the noble Secretary whether he intended to revive the system of 1806,

or to oppose and discourage it, as had been done?—He would now shortly advert to a subject, which had occasioned very general anxiety, he alluded to the practice of corporal punishment, which, for the last century, had been carried to such an extent in the British service. He confessed, while he was in the command of a militia regiment, such exhibitions were disgusting and shocking to his feelings, and he did all in his power to prevent its frequent occurrence. It was a practice condemned by many most respectable persons who had written on military subjects; and, in the last year, a clause had been introduced in the Mutiny Bill, by which an option was given to courts martial either to inflict corporal punishment, as the term was generally understood, or imprisonment. He knew not how far that well-intended clause had occasioned a relaxation of the more severe punishment. To ascertain that fact, it was in vain to enquire how far it had been acted on in general courts martial. Without the noble Secretary informed the House what effect the clause had on regimental courts martial, they must remain ignorant of the effect occasioned by the clause. This, however, he believed, that situations might exist, where, to take away, entirely, the power of inflicting exemplary punishment, would be attended with very bad consequences. But he supposed that the system would, at length, be so generally scouted by the army, as to render any specific enactment unnecessary.—The noble earl finally called the attention of the House to the excessive enlistment of foreigners in the English army, and the placing of foreign officers in the command of British troops. On this subject, he was sure their lordships felt a considerable degree of constitutional jealousy. In that statement, he was sure, even the noble lord on the woolsack would concur. The act of 1804 allowed 10,000 foreign troops in the country; by that of 1806, the number was increased to 16,000, and, beyond that, none were permitted. Now, he would maintain, that those who had incorporated any of those troops with the native force, or placed foreign officers at the head of British troops, had acted illegally, and were liable to punishment. He would contest that point with any learned lord, even the noble lord on the woolsack. He knew the laws were perplexed, but they ought to be made so plain and clear, that every person could understand them; and,

therefore, there could be no presumption in his advocating an opinion founded on a particular statute, although contrary to that of the learned lord. His lordship concluded by hoping that the noble Secretary would return satisfactory answers to the inquiries he had made.

The Earl of *Liverpool* did not feel it necessary to go at length into the different topics which had been touched upon by the noble earl, several of which were not at all connected with the Bill then before the House. If, for instance, any improper latitude had been taken, either in sending persons to the army, who had been imprisoned on board the hulks, or in enlisting foreigners, they were substantive and distinct questions, which must be argued on their own grounds, and ought not to operate as an interruption to the present Bill. With respect to the transferring of convicts, he would state, that the hulks had, for a considerable time, been placed under the superintending direction of one of the most intelligent magistrates in this country. The system adopted by Mr. Graham, and his exertions, had produced the happiest effects; and, when that magistrate saw that an offender was penitent for his former crimes, he certified the fact, and the reformed prisoner was allowed, in some cases, to enter the army. Without such a recommendation, it was never permitted. The number who were thus brought back to society, might now probably be greater than formerly; but this he attributed to the excellent system at present on board the hulks, which tended to ameliorate the morals of the prisoners. But, taking the number thus incorporated with the army, in the most extended view, it would be found very trifling. Perhaps, indeed, too great a number had been sent to some particular regiments. If such were the case, it was certainly to be lamented, and ought to have been avoided. Sure he was, however, that where crimes were committed through indiscretion, or were occasioned by misfortune, and the perpetrators of them having become penitent, were desirous of returning to society, it would be most cruel to refuse them an opportunity; and, he would also observe, that many of the persons who were thus sent to the army, from their bodily strength, and their hardihood of constitution, were eminently adapted for a military life. He was surprised to hear the assertion of the noble earl, that orders had been given not

to enlist Irishmen. Surely he must have known, that the people of that country formed the great strength and stamina of the British army, and to imagine that an order, such as the noble earl had spoken of, could ever have been issued from head-quarters, was really ridiculous. With respect to those which were termed favourite regiments, every person must know, that their commander could not be prevented from refusing some individuals, and receiving others; and they certainly had a right to look minutely into the characters of those whom they enlisted. As to what the noble earl had said on the subject of education, it appeared to him to apply rather to diocesan than to military schools. But, it was his firm belief, that if any improvement in those schools were suggested, it would be carried into effect. The noble earl had expressed his regret, that the system of a much-lamented friend of his had not been followed up. He certainly thought with his noble friend (lord Castle-reagh,) that that system was most prejudicial to the recruiting service; and, in answer to what the noble earl had asserted, he would observe, that, under the present system, the army was more numerous, and better disciplined, than it ever had been. As to the drafting from the militia, from which the noble earl foretold such evils, he believed, and he was borne out by many experienced officers, that it would have a directly contrary tendency. Although, in the last year, many bloody battles and sieges had taken place, which necessarily induced a great loss of troops, yet, on looking to the returns, the British army would be found stronger now by 10,000 men, than it was at the commencement of the year, notwithstanding all those losses. He, therefore, had a right to infer, that, by adhering to the system which had produced such results, it would answer the most sanguine hopes of the country.—On the subject of corporal punishment he coincided with the noble earl, who seemed to think, that however much it was to be deplored, it could not be done away altogether. In the last session, a new clause had been introduced in the Mutiny Bill, leaving it optional with courts-martial to inflict imprisonment or the usual punishment; but, an adequate provision had not been made to carry that intention into effect, as no authority was given to confine offenders in the county gaols, which rendered it very difficult, in many situations, to exercise that discre-

tionary power. There was also a defect in the Bill of last session, as no power was given to deduct part of the offender's pay, while suffering imprisonment; without which power, he was convinced, imprisonment would do more harm than good. The Bill on the table, however, had been altered, to meet both those cases. The delinquent was now liable to imprisonment in the county gaol, and only a certain sum was allowed for his subsistence.— Much had been said on the subject of enlisting foreigners. Parliament had decided, that, in the present state of affairs, part of the force of the country should be composed of persons of that description; and, when they contemplated the exertions which had been made by the enemy with the natives of foreign states; when they considered that France could not have done what she had done, without foreigners—the House would not deny, that we also had a right to repel her ambition, by making use of similar assistance. The noble earl, though he made the assertion, had not adduced a single instance of a foreign officer being placed at the head of British troops. At all events, these questions were not at all comprised in the Bill before them, and therefore ought not to prevent the committal of the Bill.

Earl Grosvenor was sorry that the system of the year 1806, was not only to be discouraged, but, as he gathered from the noble lord, was to be annihilated. The noble lord, in what had dropped from him on the subject, had by no means explained what he had asserted as to foreign troops. He did not conceive himself bound to adduce any instance of foreign officers commanding British troops; but this he would say, that if a single foreigner had been placed in such a situation, these who appointed him had acted illegally.

The Bill then went through a Committee, and was reported without an amendment.

HOUSE OF COMMONS.

Wednesday, March 18.

PETITION FROM BOLTON RELATIVE TO PARLIAMENTARY REFORM, &c.] Mr. Whitbread presented a Petition from the inhabitants of the town and neighbourhood of Bolton-in-the-Moors, assembled pursuant to public advertisement, setting forth,

“That many of the Petitioners are, in consequence of the depressed state of trade, in a situation of extreme distress,

and that the distress approaches so nearly to actual starvation, that they think it would be highly imprudent any longer to delay communicating their situation to the House: and that immense numbers of the industrious manufacturers in their neighbourhood, are reduced to the necessity of working for less than one fourth of what they would previous to the commencement of the war with France, whilst the necessities of life are, since that period, nearly doubled in price; and that they are convinced, by sad and dear-bought experience, that the expensive war in which this country has been so long engaged, is the immediate cause of the distresses they now labour under; and that the continuance of this war, and most of its concomitant evils, are attributable to the imperfect representation of the people in the House; and it is the humble opinion of the Petitioners, that if the House consisted of representatives of the people only, it would not, for any doubtful prospect of benefit to our allies, consent to expose the people of this country to the certain misery, ruin and starvation, which the continuance of the war must bring upon them; and that, though the Petitioners have, on many occasions, been proud to express their loyalty and patriotism, and their willingness to sacrifice their lives, if necessary, in defence of their invaluable constitution; yet they cannot help shrinking from the horrible form in which death now seems to await them and their helpless families, unalleviated by any circumstances of glory or of advantage to their beloved country; and praying, that the House will take into its serious consideration the privations and sufferings of his Majesty's loyal subjects in their populous district, and will devise some speedy means of relieving them; and further, that the House will, by all the means in its power, endeavour to bring about the so much wished for Reform in the Representation of the people: and will also recommend to his royal highness the Prince Regent, that no means be left untried which are likely to restore to his Majesty's loyal and long-suffering people the blessings of peace.”

Ordered to lie upon the table.

NATIONAL EXPENDITURE.] Mr. Baring said, that he rose for the purpose of moving for an Account of the total amount of money raised for the public service, in each year, from 1790 to 1811, by taxes, or by increase of the National Debt; and

also for an Account of the sums expended by the commissioners for reducing the National Debt, during the same period. His object in making this motion was, to bring under one view the manner in which the funds had been raised for carrying on the present war, both in taxes and by way of loan, which he thought peculiarly desirable during the discussion which was likely to take place on those points, directly or indirectly, in consequence of the Bill brought in last night. He begged leave also to take that opportunity of correcting a misrepresentation which had gone abroad of what had fallen from him last night, and which he was induced to do, not from any importance that could be attached to his opinions, but because the expressions ascribed to him were of a nature to affect the public credit. It had been stated that he said, the Bank of England was unable to pay their notes in specie. So far was he from having made such an assertion, that his whole argument was, that he thought their ability to meet their engagements made the proposed enquiry useless. He always had thought that the Bank could pay in specie, but the difficulty was as to the supplying the quantity of paper called for by the country. He drew no comparison between the funds of the Bank now, and in the year 1797, and he wished it to be understood that he was not disposed to draw such a comparison. He begged pardon for occupying the attention of the House, but thought the delicacy of the subject demanded some explanation.

The Accounts were accordingly ordered.

DISTILLATION FROM GRAIN IN IRELAND.]

Mr. *Maurice Fitzgerald* said, that before he made the motion with which he meant to conclude, he wished first to remove from the minds of gentlemen any misconception, relative to the existence of any insufficiency of a supply of corn in Ireland. It was not his wish to spread any alarm of scarcity, and this he thought necessary to specify, because it too frequently happened, that the discussion of a subject was a sufficient ground for alarm. It was true, that in some local districts some deficiency might be found to exist, and, on that account, he thought it incumbent on the Irish government to direct their attention to the subject, that if no ground for apprehension was found to exist, the public clamour or alarm might be silenced. In another point of view,

he was averse to any interference with the corn laws, and was one of those who thought such interference productive of more harm than good; and with respect to Ireland, he doubted whether any limitation should be placed to the export of corn, as he conceived that country to be equal to supply more than it did at present to England. He deprecated the idea of encouraging distillation from corn as a source of revenue, as it sometimes created a pressure which was severely felt; and it was the duty of government to sacrifice any small object of revenue to the comforts of the people. The food of the poor in Ireland being chiefly potatoes, the high price of corn only affected them when there was a failure of the crop of potatoes, which was the only proof on the subject. In such a case, he thought it the duty of government to put a stop at once to distillation. He was given to understand, that the consumption of grain in Dublin was nearly double, in consequence of the distillation from grain in that city—a permission by which industry was discouraged, and immorality promoted. He must repeat, however, that there did not exist the least reason to apprehend a scarcity in Ireland, and that there was a redundancy of provisions in one part of the country sufficient to preserve the reasonable price, and to supply any deficiency that might partially exist. He concluded by moving, "That there be laid before this House, an account of the number of gallons of Irish-made spirits on which duty was paid in Ireland, from the 5th day of January, 1811, to the latest period to which the same can be made up; distinguishing the districts, together with the amount of duty paid thereon."

Mr. *W. Pole* said, that he had no objection to grant the information required by the hon. gentleman. In the general view which the hon. gentleman had taken of the subject, he perfectly agreed. He understood the hon. gentleman to state, that he did not think that there was any ground for apprehending that there was a scarcity of grain in Ireland. He had taken every means in his power to obtain the most accurate information upon this subject, and he was convinced there was no danger of scarcity. It was true that the prices of grain were very different in different parts of Ireland, but that variety of price did not arise from any deficiency of grain. Very unpleasant circumstances had occurred in different parts of Ireland, where

the people had endeavoured to prevent grain from being sent to the Dublin market, under a mistaken notion that it would cause a scarcity; but when a free intercourse was opened between the different parts of the kingdom, the result was, that the markets were all supplied, and the prices lowered. He was therefore warranted in saying, that even in the districts alluded to by the hon. gentleman, there was no reason to apprehend a scarcity. He agreed with the hon. gentleman, that if there was any ground to apprehend a scarcity, it would become the duty of the Irish government to stop the distilleries; but he knew, from information upon which he could place the most perfect reliance, that all the distillers in Dublin, Cork, and Limerick, were now amply supplied with grain to carry on their business to the fullest extent for ten weeks to come. The regular time at which distillers ceased to work was the 1st of June; last year they ceased on that day, and he had no doubt that he could prevail upon them to cease at the same period this year. As they had therefore already a sufficient supply of grain to carry them on till within a few days of the time at which they would naturally cease working, there was no reason to apprehend that they would come into the market, and by their purchases increase the price of the article. It should also be observed, that the grain in the possession of the distillers was in such a state, being either malted or kiln dried, or in some such state of process, that it could not be made use of for the purpose of food, even if the distilleries were stopped. He hoped, therefore, that the hon. gentleman would see, that the measure which he had suggested could not tend in any degree to afford any relief to the people of Ireland. The price of grain had certainly risen in Ireland, but that was not owing to the distilleries, but to the free intercourse in grain, which subsisted between Great Britain and Ireland, and the price in the former country being so much greater than it was in the latter, a very great export naturally took place from Ireland. He most highly approved of the free intercourse in grain between the two countries. No man at all acquainted with the state of Ireland, could shut his eyes to the astonishing improvements which had taken place in the agriculture of that country, in consequence of the act proposed by the right hon. baronet opposite to him (sir John Newport) for facilitating that intercourse. But when he stated that the price of wheat was 16s. a barrel more in London than it was in Dublin, it was impossible to suppose that a great export to this country should not take place. Whether, if any serious scarcity were to take place in Ireland, it might not be proper for government to take a review of the act to which he had alluded, was another question; but certainly, under the present circumstances, he for one would not consent to touch that act. Gentlemen were not, perhaps, aware, that in the last year, the import of grain into this country from Ireland was in the proportion of one to three of what Great Britain imported from the rest of the world; formerly the average of the proportion was only as one to ten. The importation of grain into this country from Ireland was not only great, but it was progressively increasing. The importation in the last four months was greater than the whole importation of any one preceding year, and the importation of the last month was greater by one-fourth than the proportion of the four months. He did not think it necessary to take up more of the time of the House, as he did not mean to give any opposition to the hon. gentleman's motion. If any case of scarcity were to arise, the attention of the Irish government would of course be most closely directed to the subject. At present he agreed with the hon. gentleman, that there was no ground for any such apprehension. The crop of potatoes, it was true, was rather scanty, but they were of a good quality; and he was sure that, from the steps which had been taken to enable the farmers to carry their produce to market without interruption, the prices of grain in Ireland would not increase, and therefore that there would be no occasion for the interposition of parliament.

Sir John Newport entirely agreed in the opinion, that there was nothing like a scarcity to be apprehended, and that where any deficiency existed, it arose from the stoppage of the regular intercourse through the country, by which alone plenty could be ensured. The farmer locked up his corn in his granaries, and the people defeated their own objects. He believed that at all times there was a considerable advance on oats at this season of the year, particularly when the crop of potatoes failed; and it was to be recollected that the distilleries had laid in their stock, and their demand ceased at this time. Above

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circumstances, which he had just described, that, according to an authentic, though not official document,* it appeared,

* The following is the Correspondence referred to in the course of this debate :

LETTER from his Royal Highness the Prince Regent to the Duke of York, and ANSWER from Earl Grey and Lord Grenville.

My dearest Brother ;

As the restrictions on the exercise of the royal authority will shortly expire, when I must make my arrangements for the future administration of the powers with which I am invested, I think it right to communicate to you those sentiments which I was withheld from expressing at an earlier period of the session, by my earnest desire, that the expected motion on the affairs of Ireland might undergo the deliberate discussion of parliament, unimpeded with any other consideration.

I think it hardly necessary to call your recollection to the recent circumstances under which I assumed the authority delegated to me by parliament. At a moment of unexampled difficulty and danger, I was called upon to make a selection of persons to whom I should entrust the functions of the executive government.

My sense of duty to our royal father solely decided that choice ; and every private feeling gave way to considerations which admitted of no doubt or hesitation. I trust I acted in that respect as the genuine representative of the august person whose functions I was appointed to discharge ; and I have the satisfaction of knowing, that such was the opinion of persons, for whose judgment and honourable principles I entertain the highest respect.

In various instances, as you well know, where the law of the last session left me at full liberty, I waved any personal gratification, in order that his Majesty might resume, on his restoration to health, every power and prerogative belonging to his crown. I certainly am the last person in the kingdom to whom it can be permitted to despair of our royal father's recovery.

A New Era is now arrived, and I cannot but reflect with satisfaction, on the events which have distinguished the short period of my restricted regency. Instead of suffering in the loss of any of her possessions, by the gigantic force which has been employed against them, Great Britain has

that his royal highness the Prince Regent had expressed his wish that a government should be formed on an extended and li-

added most important acquisitions to her empire. The national faith has been preserved inviolate towards our allies ; and if character is strength, as applied to a nation, the increased and increasing reputation of his Majesty's arms will shew to the nations of the continent how much they may still achieve when animated by a glorious spirit of resistance to a foreign yoke. In the critical situation of the war in the peninsula, I shall be most anxious to avoid any measure which can lead my allies to suppose that I mean to depart from the present system. Perseverance alone can achieve the great object in question ; and I cannot withhold my approbation from those who have honourably distinguished themselves in support of it. I have no predilections to indulge—no resentments to gratify—no objects to attain, but such as are common to the whole empire. If such is the leading principle of my conduct—and I can appeal to the past in evidence of what the future will be—I flatter myself I shall meet with the support of parliament, and of a candid and enlightened nation.

Having made this communication of my sentiments in this new and extraordinary crisis of our affairs, I cannot conclude without expressing the gratification I should feel, if some of those persons with whom the early habits of my public life were formed, would strengthen my hands, and constitute a part of my government. With such support, and aided by a vigorous and united administration, formed on the most liberal basis, I shall look with additional confidence to a prosperous issue of the most arduous contest in which Great Britain was ever engaged. You are authorised to communicate these sentiments to lord Grey, who, I have no doubt, will make them known to lord Grenville.

I am always, my dearest Frederick, your affectionate Brother,

(Signed) GEORGE, P. R.

Carlton House, Feb. 13, 1812.

P. S. I shall send a copy of this letter immediately to Mr. Perceval.

February 15, 1812.

Sir—We beg leave most humbly to express to your Royal Highness our dutiful acknowledgements for the gracious and condescending manner in which you have

beral basis : (and here he must, once for all, observe, that in speaking of the share which his Royal Highness had in the transaction he considered him as acting by the advice of responsible persons.) A

had the goodness to communicate to us the Letter of his royal highness the Prince Regent, on the subject of the arrangements to be now made for the future administration of the public affairs; and we take the liberty of availing ourselves of your gracious permission, to address to your Royal Highness in this form what has occurred to us in consequence of that communication.

The Prince Regent, after expressing to your Royal Highness in that letter his sentiments on various public matters, has, in the concluding paragraph, condescended to intimate his wish that "some of those persons with whom the early habits of his public life were formed, would strengthen his Royal Highness's hands, and constitute a part of his government;" and his Royal Highness is pleased to add, "that with such support, aided by a vigorous and united administration, formed on the most liberal basis, he would look with additional confidence to a prosperous issue of the most arduous contest in which Great Britain has ever been engaged."

On the other parts of his Royal Highness's letter we do not presume to offer any observations; but on the concluding paragraph, in so far as we may venture to suppose ourselves included in the gracious wish which it expresses, we owe it, in obedience and duty to his Royal Highness, to explain ourselves with frankness and sincerity.

We beg leave most earnestly to assure his Royal Highness, that no sacrifices, except those of honour and duty, could appear to us too great to be made, for the purpose of healing the divisions of our country, and uniting both its government and its people. All personal exclusion we entirely disclaim: we rest on public measures; and it is on this ground alone that we must express, without reserve, the impossibility of our uniting with the present government. Our differences of opinion are too many and too important to admit of such an union. His Royal Highness will, we are confident, do us the justice to remember, that we have twice already acted on this impression; in 1809, on the proposition then made to us under

negotiation was accordingly set on foot, in order to carry this desirable object into effect. That negotiation had unfortunately failed, and the wishes of the Prince Regent, and the expectations of the coun-

his Majesty's authority; and last year, when his Royal Highness was pleased to require our advice respecting the formation of a new government. The reasons which we then humbly submitted to him are strengthened by the encreasing dangers of the times; nor has there, down to this moment, appeared even any approximation towards such an agreement of opinion on the public interests, as can alone form a basis for the honourable union of parties previously opposed to each other.

Into the detail of these differences we are unwilling to enter; they embrace almost all the leading features of the present policy of the empire; but his Royal Highness has, himself, been pleased to advert to the late deliberations of parliament on the affairs of Ireland. This is a subject, above all others, important in itself, and connected with the most pressing dangers. Far from concurring in the sentiments which his Majesty's ministers have, on that occasion, so recently expressed, we entertain opinions directly opposite: we are firmly persuaded of the necessity of a total change in the present system of government in that country, and of the immediate repeal of those civil disabilities under which so large a portion of his Majesty's subjects still labour on account of their religious opinions. To recommend to parliament this repeal, is the first advice which it would be our duty to offer to his Royal Highness; nor could we, even for the shortest time, make ourselves responsible for any farther delay in the proposal of a measure, without which we could entertain no hope of rendering ourselves useful to his Royal Highness, or to our country.

We have only therefore further to beg your Royal Highness to lay before his royal highness the Prince Regent, the expression of our humble duty, and the sincere and respectful assurance of our earnest wishes for whatever may best promote the ease, honour, and advantage of his Royal Highness's government, and the success of his endeavours for the public welfare. We have the honour to be, &c.

(Signed)

GREY.

GRENVILLE.

To his royal highness the Duke of York.

try had been disappointed. It was from the period of the failure of this negotiation that he dated the commencement of those alarming symptoms to which he had adverted, and the glaring deterioration in our domestic situation which threatened the integrity of the empire. What were those portentous features of the present time which foreboded so much calamity? "I wish to God, Maynooth college had never existed!" had been, in another place, the expressions of a confidential servant of the crown. What was this but evincing a decided hostility to the religion and political rights of a great portion of the population of these dominions? What was it but the proof of a *malus animus* with regard to them, swaying the councils of the crown? The natural tendency of such an imprudent and impolitic declaration must be, to produce a spirit of irritation and hostility, which would sooner or later shew itself in the most alarming colours. A right hon. gentleman, a member of the other House of Parliament, (whose moderation in all matters connected with religion, whose talents and whose integrity did honour to his country and to the empire) had received a petition from the Roman Catholics of Ireland to be presented to the House of Commons, and had given notice of a motion for its being taken into consideration on the 14th of next month. The votes on the table informed them that a call of the House was to take place on the 13th of April,—a call not proposed by the right hon. gentleman who was to move the consideration of the petition, but by that minister of the crown, who was understood to be the bar to all conciliation. What must be the effect of this apparently deep-rooted hostility to their cause on the minds of the Catholics? What must be the consequence of such a system, if continued? It was not among the least alarming of these fearful symptoms, that some of the clergy, as he understood, taking the hint perhaps from those in authority, had, in a manner very inconsistent indeed with the principles of their religion, made themselves the instruments of discord and disunion, and perverted even the pulpit itself to the worst purposes of bigotry and faction. Already had there appeared a disposition, fomented, probably by the tone of the government, to raise that execrable cry, which, to the disgrace of the country, had more than once marked the epoch of the present generation. But were these the only symptoms that evinced the

deterioration which had taken place in our domestic circumstances? Were their lordships aware of the state of the diurnal press of London, and, he might add of the provincial press?—Did they not know that it was formed into two distinct and opposite parties? and were not their lordships doomed every day, as had on a former occasion been remarked by a noble earl near him, (Grosvenor,) to read on the one side, of an overweening, overbearing, proud, ambitious aristocracy, that strove to domineer over the throne itself; and, on the other, the most virulent and scurrilous attacks, even upon the Prince Regent in person? Were they aware of the effect which these things must have upon the country at large; and could they be indifferent to the effect, under the present circumstances of the nation and the world, of such a mischievous application of that great engine of public opinion, the press? These were not all the symptoms that seemed to characterise the eventful period to which he had referred. The Prince Regent himself, (speaking of his Royal Highness in the sense which he had before stated, as acting at the suggestion of responsible advisers), even the Prince himself was not exempt from his share in these alarming transactions. They had heard, for instance, of the highest honours, of the most distinguished situations, being offered to various individuals, and refused upon the ground, that acceptance would be contrary to the honour of those persons, who found it impossible for them to do any thing to assist, or give countenance to the system upon which the government was conducted. It was rumoured, that all the bent, aim, and force of the government, was inflexible hostility to the liberal principles which alone could ensure conciliation and union. This, however, was only rumour; but what was certainly true was, that on the 13th of February, the Prince Regent, in a manner that did honour to the high situation which he held, and with a sincerity and good faith well becoming his character, expressed his wishes, that at the present critical moment no measure should be adopted which could excite the smallest suspicion that he intended to abandon his allies, or cease to give them the same liberal assistance as formerly. Yet, subsequent to this declaration, it was well known, that his Royal Highness had been obliged to accept the resignation of a noble marquis, who had in some measure identified himself with the cause of our

allies. He hoped the noble marquis, whom he saw in his place, would in the course of this debate explain the reasons which had induced him to resign, at a moment when his services, with a view to the war in the peninsula, were so very essential. But he could not repeat, too often, that, subsequent to the wish expressed by his Royal Highness, with regard to the cause of our allies, his Royal Highness had received the resignation of the noble marquis, who for two years and a half had conducted the whole diplomatic correspondence with the peninsula; and, before that period, had acted as the minister of this country in Spain with so much honour to himself, and so much advantage to the nation. No correspondence that had ever been laid on their lordships' table, had ever excited more general applause. The noble marquis, too, was no less a person than the brother of lord Wellington himself; and yet, in the present critical state of the war, he had thought it his duty to resign, though the Prince had before expressed his wish to give every support to our allies. Such was the general view of the situation of the country, since the expiration of the restrictions upon the Regent. Our domestic policy of exclusion appeared to have assumed a more decided shape, and the brightening prospects which appeared to be opening to us, had given way to a deeper gloom. He had adverted to the difficulties under which the nation had to struggle, and the very inadequate composition of the present government to meet these difficulties; and from all this it followed, as a necessary consequence, that some change in the frame of that government should, if possible, be effected. Now he would ask, whether such a change was really hopeless? And here he must advert to a printed letter bearing the signature of a noble earl near him (lord Grey), and of a noble baron (lord Grenville), whose absence their lordships must deeply regret, both from sympathy with the noble family which had lately experienced the domestic calamity that occasioned that absence, as also on account of the delicacy of the situation in which the noble lord was placed. He, however, would endeavour to avoid every thing that could possibly appear to be inconsistent with a due regard to the circumstances in which the noble lord at present unfortunately stood; and he had no doubt his noble friends who were to follow him, would adopt the same

precaution. If the construction which he put upon that letter, and which it was certainly capable of bearing, was the correct one; he flattered himself that hopes might still be indulged of fulfilling the wishes of his Royal Highness, and forming an administration adequate to the difficulties of the times. Whether his construction was the true one, the noble earl near him (Grey) would inform their lordships. But it might possibly be said, that he was not authorised to refer to these documents, as they did not come in an official shape before the House; and the unusual asperity of tone and manner of the noble Secretary of State on a former occasion, when he put a question to him relative to one of these letters, was such as to justify some apprehension that such an objection might be made. Yet, he maintained that any paper of public notoriety, and especially one bearing the signature of the Prince Regent, was a document for their lordships to proceed upon. He did not think, that out of the whole kingdom the House of Lords ought to be the only room in which such a document could not be made the subject of discussion. It was, however, sufficient for his purpose, that on the 13th of February a wish had been expressed by his Royal Highness to form an Administration on a broad and liberal basis. That wish had unfortunately not been gratified. But the wish which existed then, no doubt still continued; and the object of his motion was, if possible, to give effect to the declared desire of his Royal Highness: provided nothing occurred in the debate which should change his opinion as to the construction to be put on the answer to the Prince's letter, he should still cherish a strong hope of being able to secure the accomplishment of so desirable an object. He would now draw the attention of the House to those parts of the noble lords' letter, which had been particularly dwelt upon, and which he believed, had been misapprehended. The noble lords, having assigned the reasons of their refusal, say "It is on this ground alone that we must express, without reserve, the impossibility of our uniting with the present government." Now, he would ask, what had been understood by this expression of the noble lords? Why, that they insisted on forming the government themselves—that they would hear of no persons, but of their own selection, and of their own principles—and that they would not sit in the ca-

binet with those who were the confidential advisers of the Prince Regent. This was the interpretation which had been given of that part of their answer. Yet, without meaning to state what the feeling of the noble lords really was on this subject, it appeared to him, that in saying they would not consent to unite with the present government—that they could not assist an administration, whose proceedings they disapproved—it did not follow that they would not act with them, provided, of course, they were not placed in such situations as would prevent them from carrying into effect those measures which they thought most conducive to the general interest.—In the next paragraph the noble lords observe, “Into the detail of those differences we are unwilling to enter; they embrace almost all the leading features of the present policy of the empire.” The principles of policy here alluded to, were, the conduct to be pursued with regard to America,—the Bullion question,—the war in the peninsula,—and the treatment of the Catholics. Could it be fairly supposed, that it was the intention of the noble lords, if they should come into office, to concede the whole matter in controversy with America? Could it be fairly supposed that they were prepared to sacrifice the maritime rights of the country, and lay our naval grandeur and independence at the foot of America? It might be so, but he would not believe it, till he heard it from themselves; he would not believe any British statesman capable of such a thought; nor could he allow himself for a moment to attribute such intentions to the noble lords. The next question was, that of the bullion. What was the nature of the difference here? It might be said, that the noble lords would immediately open the Bank, and compel cash payments. It was no doubt probable, that they would make the situation of the currency a matter of serious consideration, and that they would act upon the system of restoring the cash payments to the country, when a favourable opportunity occurred for doing so. But was it to be said, that they would force such a measure forward before its time,—that they would urge it without preparation,—without regard to circumstances,—without any precaution that might render it regular and secure? As to the peninsula, the noble lords were boldly charged with a resolution to withdraw our assistance from the Spanish cause. They

might certainly disapprove of the circumstances of the war; but it was not to be conceived, that they would abandon it without due examination. Of course, their conduct in this point would be strongly influenced by the larger information on the circumstances, objects, and means of the contest, which office might give them, and to which they could not now have access. It was not to be supposed that they would proceed in this direction, without communicating with the distinguished person who was now at the head of the British force in the peninsula,—a man who deserved every attention and every praise,—who was at once the great general and the great statesman,—whose physical courage was equalled only by the moral fortitude which he manifested in opposing those who, not being perfectly acquainted with the situation of the peninsula, were desirous of withdrawing from the contest there. It was presumed, that, on their admission into the Prince's cabinet, the British forces would be recalled: but was this a just presumption? He had never heard it from the noble lords. It might be their determination; but, until he had it from their own lips, he could not believe it. The last point was the state of Ireland. With respect to the disallowance of the claims of a large portion of his majesty's subjects,—on this some difficulty arose. It was less easy to define the limit of the objects which the noble lords might have in contemplation. The difference between them and administration was more wide than on the other points. The noble lords observed in their letter, “We are firmly persuaded of the necessity of a total change in the present system of that country, and of the immediate repeal of those civil disabilities under which so large a portion of his Majesty's subjects still labour, on account of their religious opinions. To recommend to parliament this repeal, is the first advice which it would be our duty to offer to his Royal Highness.” In this part, more than any other, the general interpretation seemed to be warranted by the construction of the words. The view he entertained of this subject was certainly different. His idea of the most suitable proceeding in bringing about this great measure of redemption, was, that the proposal of consideration should come from administration,—that the House should then sanction a resolution for taking the question into consideration at a future time,—and, finally,

that every thing relating to the management and detail of the question, should be left to the executive government, by whom a specific plan should be laid before the legislature. By this means, all the grace of originating the measure would attach to the crown, to which, in truth, it ought to belong. It would pledge parliament to nothing but the mere consideration of the question, and leave the arrangement and detail where it should be left, with the executive government; and, whatever was proposed by them, parliament, in the course of the next session, might reject or adopt. But still in the letter of the noble lords there certainly was nothing to give the idea, that they would at once recommend the total abolition of Catholic restraints, without delay, or regularity, or consideration. He would not deny, that the words might bear such an interpretation: but from their former declarations,—from every former means of expressing their sentiments, it might be not unjustly conceived, that they would proceed in this momentous affair, with all the necessary prudence; that they would suffer a certain period to elapse before the granting of full remission; and that they would grant nothing without providing for the security of the existing establishments. This was the fair construction of the policy which they were likely to adopt; and if this construction were justified by what their lordships might hear in the course of the debate, was it not to be desired that every strength that the country was capable of affording, should be applied to the purposes of conducting it through the difficulties of its present situation? Was it not most desirable, that this country, and what remained of independent Europe, should be gratified by seeing an administration combined of all the wisdom, experience, and authority that was to be found among us, formed to preserve domestic tranquillity, and to command the respect of foreign powers? He might be thought a great *ignoramus* in politics, to expect that no opposition would be offered to a motion which did not proceed from administration. He deprecated being overpowered by the eloquence of noble lords on the side of ministers: his motion was certainly not one which proceeded from them; but it was consistent with the principles of the constitution, and conformable to its practice in the best periods of our history, and therefore, unusual as the hope was in modern times, he

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hoped they would suffer it to go to the Prince Regent, and let his consideration do the rest. He trusted that there was now no man who would call the administration, as it stood on the 13th of February, an administration upon a sufficient basis. After the proposition which had been made at that period, he believed that there was not a single person who would stand up in his place and maintain that it was then a sufficient administration: and if not sufficient then, what was it now, when the great talents and great weight of the noble marquis (Wellesley) had been withdrawn from the government? The only topic on which he could anticipate objection was, that as his motion touched upon ministers, it was to be considered as an opposition motion. For the honour of truth, and in the name of the best interests of the country, he deprecated this consideration. It was not an opposition motion. It had arisen with himself, and without any communication to the noble lords who had been alluded to. It bore no hostility to administration, for many of whose members he felt the most perfect respect, and he denied their right to impute party or factious motives to him. Did they mean to impute them to his Royal Highness the Prince Regent, when on the 13th of February he expressed a wish for an administration differently constituted? If they did, how could they, as men of honour, retain their situations? And if they did not, what right had they to attribute such motives to him, for expressing the same desire now, which his royal highness had formerly done? What had happened, since the 13th of February, to cause a change of opinion? What had been gained, and what had been lost? Was there any thing in that loss or in that gain, which rendered unnecessary now the alteration proposed at that time? The motion was founded on the deep sense he entertained of the alarming evils which threatened the safety of the nation—which were every day more and more developing themselves—and the imperative necessity of obtaining an efficient administration capable of averting them. He framed the motion, neither for nor against any set of men, party, or faction, whatever; he made it for the sake of the country at large, and, in their name, he entreated for it a favourable reception. His lordship then moved—

“That an humble Address be presented to his royal highness the Prince Regent,
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to assure his Royal Highness, that whilst we most deeply deplore the unhappy continuance of his Majesty's indisposition, we entirely rely upon his Royal Highness's wisdom and princely virtues for the vigorous and beneficent exercise of those unrestricted powers, with which he is now invested; and that his Royal Highness may depend upon our affectionate attachment, and our constant and zealous support in all his measures, for the maintenance of the honour of the nation abroad, and of its happiness and tranquillity at home. Humbly to represent to his Royal Highness, that for the attainment of these objects, it appears to us to be essential, that the administration to which his Royal Highness may be graciously pleased to commit the management of his affairs, should be so composed as to unite, as far as possible, the confidence and good will of all classes of his Majesty's subjects.

"That in the present state of Ireland, it is, in our opinion, impossible that such general confidence and good will should be enjoyed by any administration, the characteristic principle of whose domestic policy, as well as the bond of whose connection in office, is the determination not only not to recommend, but to resist a fair and dispassionate consideration of those civil disabilities under which his Majesty's Roman Catholic subjects in that part of the united kingdom still labour, and of which they complain as most grievous and oppressive.

"That we therefore humbly express our anxious hope, that his Royal Highness may yet be enabled to form an administration, which, by conciliating the affections of all descriptions of the community, may most effectually call forth the entire resources of the united kingdom, and may afford to his Royal Highness additional means of conducting to a successful termination a war, in which are involved the safety, honour, and prosperity of this country."

Viscount *Grimston* said, he had heard the speech and motion of the noble lord with great regret, and he hoped and trusted their lordships would pause before they entertained the question, for, notwithstanding the caution and perfect forbearance exercised by the noble lord, this motion did impute some blame to an illustrious personage at the head of the executive government. There was something peculiar in the whole proceeding. He believed it was the general usage of that

House to have some distinct knowledge of the subject which was introduced before them as the ground of a specific motion, some distinct document on which to discuss it, and, under this impression, he would be of opinion, that their lordships would be justified in giving a decided negative to the motion just submitted to them, if he did not think that it would be more respectful to his Royal Highness and to the noble lord to meet it by the constitution of an amendment. He repeated, that it appeared to him, that some degree of blame was imputed to the Prince Regent for the manner in which he had conducted himself, and the line of conduct which he had adopted——

The Earl of *Lauderdale* rose to order.—He had heard the commencement of the noble viscount's speech with great pain, and must interrupt him. It was highly irregular in any noble lord to make any personal allusion to the personage at the head of the executive government of the country. Such a line of argument was perfectly disorderly, and he had even felt great pain in listening to the speech of the noble lord who had spoken first in the debate, although he had not interrupted him, because that noble lord had not mingled the subject with the matter of his speech after the commencement. But here was an allegation, that direct blame was attributed to the head of the government. He had never heard a grosser infringement of order, nor any thing more likely to influence their deliberations.

The Earl of *Liverpool* spoke to order. His noble friend had not charged any one with imputing blame to the Prince Regent. He had said, that the motion involved it,—that it was the natural inference,—and he had a right to make the observation to that extent. But what was the motion itself? Was it not founded upon a private letter? Was it not calling upon their lordships to debate upon a private paper?

Earl *Grey* said, that in the few words which he was anxious to address to the House, upon a question in which he was personally deeply interested——

The Earl of *Westmoreland* asked if the noble earl was speaking to order?

Earl *Grey* declared that he was speaking to the question of order. No point could stand upon more clear constitutional ground, than that the name of the sovereign should not be used to influence the debate in that House, but if it was to

be alleged on the other hand that the act of the sovereign could not be questioned in that House, although acting, as must always be presumed, by the advice of responsible advisers, there was an end of all freedom of debate. Had he understood any improper allusion or enquiry to have been made by his noble friend, he should have thought it his duty to interrupt him; but his noble friend had taken no such course. He had said, that he only looked to the responsible advisers of the crown, and in so doing he had followed the line of his duty. But not so the noble lord who followed him—he saw with pain the course he had taken, and hoped that he would have pursued a more parliamentary line of argument; but not having done so, he thought their lordships could not, with propriety, admit such language to be made use of. The question before their lordships was one which was distinctly in the cognizance of parliament, and which had been treated of by parliament in the best of times; and was neither more nor less than an expression of the sentiments of that House upon the inefficiency of the existing administration, to act beneficially for his royal highness the Prince Regent, or for the country; but upon the principles now introduced by the noble viscount, what was done by the sovereign only through the counsel of his responsible advisers, could never be arraigned, nor would the House ever have the power to call ministers to account for their proceedings. The noble earl (Liverpool) had complained that no documents were before the House on which to found a motion; but it was not necessary that there should. He did not understand the nature of such a necessity. The notoriety of the letters, and the general complexion of the administration, formed a sufficient ground for a motion; and he hoped their lordships would proceed uninterruptedly in the discussion, on the sound principles of parliamentary investigation.

Lord Beringdon denied any noble lord in the House to mention a single word which fell from him, that tended in the remotest degree, directly or indirectly, to impute the slightest possible blame to, or to convey the most distant reflection on his royal highness the Prince Regent.

The Lord Chancellor, long as he had sat in that House, never felt more pain than in the course of this discussion; but hoped that, though it was likely he might trouble their lordships again, they would allow

him to implore their attention for a few moments upon the subject of order. When, by the indisposition of the sovereign, the executive authority was suspended, the estates of the realm had invested the Prince Regent with the power to exercise the functions of the state. From that moment, he should have thought, that the name of his Royal Highness would be mentioned in that House with the same respect as that of his royal father. But when on a former evening, he saw a noble lord stand up in his place, with a newspaper in his hand, proceed to ask questions of a minister, about a private letter written by his royal master, he confessed his astonishment at what he conceived to be a most novel and unprecedented proceeding.

The Marquis of Douglas rose to call the noble and learned lord to order. The observations of the noble and learned lord were foreign to the subject, and appeared more like a speech than a decision on a point of order. If the noble and learned lord meant to make a speech on the question, he appealed to their lordships whether he was entitled to proceed at present?

The Lord Chancellor resumed, and contended that he was referring to a material question of order, with reference to this debate. He again reprobated the production of a newspaper for the purpose of asking, whether an article in it was a letter from the Prince Regent, and said, that if any confidential servant of his Royal Highness had given an answer to such a question, he would never again have entered the same room with that person for the purposes of confidential advice.

Lord Holland spoke to order, and arraigned the conduct of the noble and learned lord, in thus referring to a circumstance which had taken place a week ago, and which had no connection with the question of order. It was at the same time most unconstitutional to attempt to influence the debate by the use of the name of the Prince Regent.

The Lord Chancellor said he had been misunderstood, and begged to explain his meaning. He did not deny that any peer in that House had a right to make any motion he thought proper, with respect to the conduct of any administration; but what he meant to say was this, that he never would act so unbecoming the person placed on that woolsack, as to permit such language as he sometimes heard—for he was bold to assert, in the face of all the noble lords present, that he had never wit-

nessed in the course of thirty years parliamentary experience, any thing so monstrous and disorderly as the production of a newspaper in that House. [Here his lordship was interrupted by loud and repeated cries of Order!]

The Marquis of *Lansdowne* never heard any thing so disorderly as the language made use of by the noble lord on the woolsack. After the observations of the noble mover, he did not expect such animadversions as had a direct reference to a subject already disposed of. It was the duty of every noble lord to insist on a strict adherence to the rules of the House.

The *Lord Chancellor* repeated, that he should always object to any observation being made in that House having a reference to his royal highness the Prince Regent, which, in the strict course of parliamentary proceeding, ought not to be applied to the King himself, whose representative he was, and he should certainly always protest against the production of a newspaper, or part of a newspaper pasted on any other paper, into that House in the course of a debate—(Cries of Order, order! Hear, hear!)

Lord Boringdon repeated his statement, that he considered the act of the Prince Regent as the act of a responsible adviser.

Viscount *Grimston* was anxious to be understood as not at all intending to bring the person of the Prince Regent into the debate. He had merely conceived the spirit of the motion to turn that way, and there was nothing which he would more deprecate. The Address proposed by the noble lord did certainly impute blame to the ministers of the Regent, for which there appeared not to be the slightest foundation. He looked to their proceedings, which must be, after all, the great standard of their qualifications for the situation which they held; and he must acknowledge, that for men so incapable as they were represented, they had done some very peculiar and very fortunate things. His Majesty's arms had been eminently successful under the administration of the present ministers, during the time that the Prince Regent had been at the head of the government. During that time the country had to boast the conquest of the islands of Mauritius and of Java, the total expulsion of Massena and the French from Portugal, the repulse of the enemy at Tarifa, and lastly, the capture of Ciudad Rodrigo. Ministers, under whom

the arms of the country had been so successful, ought still to be required to guide the vessel of the state. He did not conceive those successes to be the effects of chance, but of the energetic policy of ministers. He believed that the country was of the same opinion, and did not wish for any change of administration at present. Such being his sentiments, he conceived that an Amendment should be made in the Address proposed, viz. to leave out all the words after the words, "His Majesty's indisposition," for the purpose of inserting the following:

"That we beg leave to express our most grateful thanks to his royal highness the Prince Regent, for the wisdom and prudence with which he has exercised in his Majesty's name, and on his Majesty's behalf, the royal authority in these realms. To assure his Royal Highness that we have observed during this period with the greatest satisfaction the uniform success that has attended his Majesty's arms, in so many and such important operations; and the beneficial consequences that have resulted from the aid and assistance afforded by his Royal Highness to our allies. That we rely with the utmost confidence on his Royal Highness's constant and earnest endeavours to promote by every means in his power the honour and welfare of the country, and to provide effectually for its security and prosperity."

The Earl of *Darnley* expressed his own and the country's acknowledgments to the noble lord who had brought this important subject under the attention of the House. In expressing his decided opposition to the amendment suggested, he should not by any means feel himself shackled by the assertion, that it was disorderly to allude to publications in the newspapers of the day. Any peer of the realm had a distinct and indisputable right, even without the statement of a single ground, but the notoriety of existing facts, to submit any proposition he deemed expedient, more especially at this most critical period, surrounded as the nation was with dangers, some of which were of our own creation. He would not detain the House by impressing upon them a due estimation of the talents and means of the enemy with whom we were contending, or the near prospect of a war with the United States, into which we were about to be plunged by the destructive counsels of the present ministers of the Prince. He would not dwell upon the alarming insur-

rections in our manufacturing counties, or upon the scarcity of provisions by which the people were threatened. They were matters of minor importance compared with that subject before which all others sunk into insignificance, he meant the Catholic claims. Here we saw one-fourth of the population of the empire in a state of neutrality, (to say the least of it) who might be united heart and hand against the common enemy. Under such circumstances, was it to be tolerated, that a noble lord should be interrogated upon what specific foundation he rested a motion which had for its object to interpose a shield between Great Britain and her destruction? The noble viscount (Grimston) had violated the most acknowledged principle of debate, and with no other view than improperly to influence the discussion, had introduced the name of the sovereign (for the Regent to all intents was no less,) telling the House that it was in opposition to his wishes. He did not intend to throw any imputation on the sacred character of the Regent, from whom, for a long series of years, he had received the most gracious attention; but thus much he would assert, that whoever advised his Royal Highness to sign the letter transmitted immediately to his noble friends, recommended an act, the baneful consequences of which had hitherto been very partially experienced. The noble viscount had entered upon a very wide head of argument, but had anxiously avoided the most dangerous part of his ground, the question of Catholic Emancipation, for he well knew (and indeed who did not know?) that the person now at the head of government had risen, had stood, and had expressed his determination to stand, upon a system of intolerance; and that those who acted with him must be guided by similar views. If then the welfare of the nation depended upon concession to the Catholics, (which few were bold enough deliberately to deny,) was not this a sufficient motive for acceding to the Address proposed? With regard to the Letter of the Prince Regent, it was impossible in discussing this subject, not to advert to it. He wished to be as perfectly respectful in his language as he was in his feelings, but if that letter meant any thing, it meant this—

The Earl of *Liverpool* interrupted the noble lord by rising to speak to order. He wished, he said, to prevent the noble earl from making further progress on a

subject which he thought was generally admitted to be irregular. The letter alluded to was not a document before the House. If it were an act of state, it was not regularly brought before the House so as to entitle any peer to comment upon it. It merely bore upon the face of it the character of a private communication, of which no notice could be taken. If it were necessary to the motion of the noble lord, it ought to have been moved for in the customary mode.

Lord *Holland* said, that he wished the noble earl had condescended to state how such an allusion was disorderly, or what order of the House it violated. It was very easy for any noble lord to get up and say, "this is not in order, or that is not in order," but he thought it was necessary for them to do something more, and shew what order of the House was violated. That it was disorderly to introduce the name of the sovereign in a manner to influence the decision of the House, was a thing which every body knew; but how it was disorderly to allude to any paper, merely because it was not a document already before the House, was a point which he wished the noble earl to explain. If he meant to say, that any of the standing Orders of the House was violated by so doing, he wished that he would have that Order read which he said was violated. As to the noble earl's supposition, that it was disorderly for a noble lord in his speech to allude to any matter of general notoriety, or to any paper that was not absolutely made a document by having been regularly laid upon the table of the House, he believed that such an idea was perfectly novel. If this were to be the case, a noble lord would not be allowed in future even to make a quotation from the classic authors. If he were to attempt it, he would be immediately called to order by some of his Majesty's ministers, who would exclaim, "What do we know of the classics, were they ever laid upon the table of the House?" No more quotations must ever be made from *Virgil*, or from *Horace*; or the noble peer who ventured such quotation would be told, that *Virgil* and *Horace* were no regular documents,—that they were not state papers, and that it was unparliamentary to quote from them. He wished that the noble earl would point out what order of the House had been violated in the allusion of which he complained.

Lord *Mulgrave* maintained, that the ob-

jection of his noble friend, was to the introduction of the name of the person exercising the sovereign authority. The other side of the House assumed a great deal too much when they asserted, that the letter published had been signed by the Regent, since there was no proof of the fact; at present it appeared only to be a private letter, which had been published in the newspapers. If the subject were pressed he should take the sense of the House upon it.

Earl Grey requested that the noble lord who spoke last, if he really meant to take the opinion of the House, would state accurately and clearly what the proposition was. If it were upon the point whether or not the name of the Regent should be introduced into debate, undoubtedly he should vote with the noble lord without a moment's hesitation; but if the question were, whether the letter which had appeared in the public prints, bearing the signature of the Regent, could with a view to support a motion, or to illustrate an argument, be quoted in debate, he should vote against the noble lord with as little hesitation. The objection made by the noble lords opposite was differently stated by each of them; and indeed it seemed to arise from an utter confusion of ideas upon one of the most plain and simple principles. The introduction of the name of the Regent, and the reading of his letter were matters totally distinct, excepting in the opinions of the opposite side of the House. The practice of every day shewed, that his noble friend (lord Darnley) was perfectly in order. How many papers were constantly alluded to and made the subject of discussion in that House, which never were, and some of which never could be made documents, in the manner which the noble earl had mentioned? At different times, when the House had been called upon to vote their thanks to lord Wellington, (and he would take this occasion of saying, that he believed no noble lord felt more strongly than he did, the great merit of that gallant and most distinguished general,) how frequently did ministers themselves detail to the House the dispatches of lord Wellington, which were certainly not documents in the sense that the noble earl now wished to understand the papers that were to be alluded to in debate; and yet, had any objection ever been made to this as disorderly and unparliamentary? How often had the Berlin and Milan decrees been alluded to in that House, and been the principal topic in long discus-

sions; and yet the Berlin and Milan decrees never were, and indeed could not have been laid on the table of that House, so as to make them such documents as the noble earl required. But this was said to be a private letter. What then? Did the noble earl mean to say, that even a private letter, if it were a matter of general notoriety, and of great importance to the public, could not be alluded to in that House? Supposing that the motion had been different, and that, instead of the Address which his noble friend had moved, his motion had been for the production of this letter, could it be contended for, on any principle of common sense, that it was unparliamentary to state the substance of a letter, the production of which any noble lord thought proper to move for? If the noble lord really wished to take the opinion of the House on this point of order, he hoped that he would put it in some shape in which it might be discussed.

Lord Mulgrave said, that he well remembered the proceedings of 1807, the effect of which seemed calculated to throw a scandal on the sovereign himself. The question then was, whether a certain pledge required from ministers by his Majesty, was constitutional or unconstitutional? The recurrence of that scandal he would use his utmost exertions to prevent. The course he should pursue, if the subject were pressed to a vote, would be first to have it decided whether the name of the Regent should be introduced into a discussion. Upon this there could be no dispute, and the next enquiry would be, whether it were regular to read in debate a letter from a newspaper with the signature of the Regent (which might be a forgery,) and upon which it had not been ascertained whether ministers had given any advice to the personage whose name it purported to bear.

Earl Grey remarked, that the precedent of 1807, just cited, was a most unfortunate one for the noble lord, inasmuch as in that case had been done exactly what the noble lord was this night contending against. If, indeed, the noble lord meant to say, that the publication of cabinet ministers was a scandal, it would be for the friends of the noble lord to justify their conduct in this instance.

The Earl of Darnley resumed, and maintained that if he so pleased he could, with perfect regularity, read not only a part, but the whole of the newspaper to the House. He was not surprized at the fre-

quent interruptions that had occurred, since it was obviously the design of ministers, if possible, by a side wind, to dispose of this question. God forbid that he should deny the sound principle of the constitution, that the crown could do no wrong; but if the letter were signed by the Regent, some person or other was answerable for its contents. Whatever exultation might be shewn by ministers, at their majorities in either House of Parliament, they knew that their existence depended upon a breath—upon advisers not avowed. It rested upon persons not officially known to the House; upon persons who, for their own selfish objects, would poison the royal ear, and who, if allowed to remain, would prove the destruction either of the Prince or of the country. If the Regent had been advised by such persons (as there was little doubt he had), he trusted that the warning now given would not be unavailing. The only construction he could put upon the letter was, that the Prince Regent had been advised by somebody or other to continue under him the same ministers who had acted under his royal father. What did this imply?—Destruction to the hopes of the Catholics—Destruction to the country. As to the answer returned by his noble friends, it had been certainly misunderstood; for nothing was more unfounded than to say, that they there expressed a determination to form an administration of themselves and their particular friends exclusively. He could not help wishing, however, that they had guarded themselves with more precision against a misrepresentation which had been generally circulated, viz. that if they came into office, they would abandon the interests of our allies on the peninsula. Whatever doubt might have been originally entertained as to the propriety of engaging our armies in Spain and Portugal, now we had gone so far, it was impossible that Great Britain could with honour recede. His lordship concluded by re-asserting his right to allude to, and to quote from, the letter of the Regent, as published in the daily prints.

Lord Mountjoy could contemplate the Address of the noble lord in no other light, than as an attempt to exclude the present servants of the Regent from the offices they held so much to the advantage and satisfaction of the country. In the letter of the Regent, a sincere desire was expressed to procure a union of all parties; but the gracious offer was peremptorily

refused, and there appeared to be no opening left for the formation of an administration on a broad and liberal basis. As the motion suggested was founded on an instrument that could not be properly discussed, and as the amendment suggested was only intended to negative the proposition, he should give the latter his support, although there were parts of that amendment to which he certainly objected.

Lord Erskine said, that if the subject before the House were dispassionately considered, it was impossible that any difficulty or breach of order could attend the discussion. Although ministers, upon a former day, had refused to acknowledge the authenticity of the Letter in question, the noble earl behind him had acknowledged having received it, and had admitted the authenticity of the answer, as printed in every newspaper of the day, which he had sent to the Letter so received by him. It was, therefore, trifling with the subject to deny the fact, and absurd in the extreme to connect the comment on it with any breach of rule and order. It must be taken by the House to be the Letter of the Prince's responsible advisers, and, in fact, it bore the intrinsic mark of having proceeded from them.—It was the acknowledgment of their weakness to stand alone, and the use of the Prince's authority to strengthen them whilst they stood on the vantage ground of office. But giving the Letter the most liberal interpretation, it was an invitation to lords Grenville and Grey to unite with them in forming an administration.

On the subject of order, he was sure he should not be interrupted by the noble lord on the woolsack for saying how happy he should have been, and ever should be, to manifest his attachment to the Prince, as the Lord Chancellor had frequently with great feeling expressed his attachment to the King. Lord Erskine said, he stood in a relation to the Prince which belonged to few others in the House. He had been in his service for thirty years, and had received many marks of kindness and confidence from his Royal Highness, and as he considered steadiness in friendship and attachment to be the source of all honour and usefulness, public and private, he was anxious to explain why it was not in his power, consistently with the attachment he must ever retain for the Prince, nor with his duty to his country, to give the smallest support to the present administration.

The Letter pointed to an union with those now in office, whilst they differed in all the points which vitally affected the state. Now, notwithstanding all that had been said and written against coalitions, no such union had ever taken place as had lately been rejected. The union between Mr. Fox and lord North was of an entirely different character. The grand political difference between these statesmen, and their supporters in Parliament, was on the subject of America, before and during the continuance of the fatal war of separation. Mr. Fox contended for a system of conciliation—Lord North for a system of coercion. And surely it was a dreadful consideration, that Mr. Burke's immortal orations were made to empty benches; and great majorities of both Houses then voted propositions, which a man would now be consigned to Bedlam for supporting. Whilst such a difference prevailed, would it have been possible to have formed a union between lord North and Mr. Fox?—No: it never was even proposed until the administration was dissolved, and it was not until the act of American independence, when every question concerning our policy towards that country was at an end, that the union took place. Mr. Fox then thought that he owed it to the country to use the only means which were then practicable to give effect and influence to his principles and opinions—but this union produced great jealousy and suspicion in the minds of many, and that impression on the public mind ought to inspire the greatest caution in public men on the subject of such unions. No united government could become strong, however pure and upright the principle of union, if suspected by the people. Without public confidence, no government could serve the country with advantage.

The union with Mr. Fox and lord Grenville, which formed the late administration, was of the same character. It was utterly impracticable, and never thought of whilst the war waging with revolutionary France was on foot. How could a cabinet have been formed if one half had been deprecating the war with France, and the other half inflaming the contest; if one half had been passing severe laws to repress sedition, whilst the other half were for repressing it by giving to the people full contentment, by the blessings of our free constitution? All these differences were at an end before the union took place which formed the late

administration—France had become a gigantic monarchy aiming at universal dominion, and no difference could exist any longer upon the principles which ought to govern propositions of peace, and accordingly no cabinet was ever more united on that and all other subjects. But if a cabinet were now to be formed by the proposed union, like *plus* and *minus* in equations, they would destroy one another—one half determined upon a perpetual exclusion of the Catholics, the other half convinced that to refuse their claims was to dissolve the empire. On the subject of America one half resolved to keep up the Orders in Council, the other half convinced that, putting the objections of America out of the question, their continuance was ruinous to our commerce and manufactures. Who was right or wrong on these subjects was nothing, whilst differences so irreconcilable and so vital in their consequences existed.

The noble lord said, that, for his own part, he had the most decided opinion on both these differences. He thought that the state was unsafe whilst so vast a portion of the empire as the Irish Catholics were discontented, and the church not safe whilst disabilities on the score of religion increased the multitude, and affected the temper of those who dissented from the establishment.

He always reprobated popery, but its period was come, and even with regard to the Catholic religion, the question was not, whether it was to be encouraged, but how we were to deal with four millions of subjects professing it. The question, as Mr. Burke well expressed it on a different subject, was, not whether the thing deserved praise or blame? What, in the name of God, were we to do with it? Could we man or victual our fleets without Ireland? Could we, in short, be a nation, if a separation were the consequence of our obstinate refusal to consider these Petitions? Lord E. said he considered it to be tyranny to keep up those distinctions, when the cause of enacting them was at an end.—The archbishop of Canterbury, on the debate upon the Petition of the dissenters, had given more advantage to the church than it had ever received from any prelate since these laws existed.—After supporting, as became him, the establishment of the church, he said, that the Bible was not the gift of God to a nation for the exposition of a government, but the universal gift of God to his

creatures for their consolation and happiness, to be construed, by every individual, according to the dictates of his understanding and conscience.—How then could disabilities be maintained because the Catholics construed the Bible, however erroneously, according to their consciences, and as their fathers for ages had construed them? But it was said that penalties had ceased, and that full rights were only not conceded; but that was a palpable fallacy. All subjects had equal rights, unless disabled by dangerous misconduct; and therefore to refuse full rights to the Catholics, was disabling them only for enjoying this admitted gift of God to his creatures, and was tyranny, when the danger which suggested the system was at an end.

He was far from condemning the laws regarding the Catholics in their origin—Had he lived in former days, he must as a Protestant have sanctioned them, if they were necessary for the security, perhaps for the very existence of a Protestant establishment, and they might have been so; but we had long since decided, that penal laws in restraint of the Catholic religion were no longer necessary, since we had repealed all of them. But still, undoubtedly, another great question remained after full toleration had been granted; viz. Whether Catholics should be excluded from the establishment? Religious toleration was one thing, and civil establishment another; and there might be very honest differences amongst the most enlightened men on such a subject. But this question also we had already decided, by consenting to their being established. They were already by consent of parliament members of the civil state—They could be grand, and petty jurors; they could be corporators and magistrates; they could be barristers and attorneys, and officers in the army and navy, and even the elective franchise was conceded; they being excluded only from some of the highest offices civil and military, and from seats in parliament; By these concessions we had unquestionably given judgment against the objections now urged. The boundary between toleration and establishment had been completely broken down and obliterated; establishment was an entire thing; and there was no longer any principle of exclusion remaining. Before the Union he admitted that there was a solid objection against their sitting in parliament, but for that

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very reason, devoted as he had always been to Mr. Fox, he never would vote against it, as he thought it removed the only bar to a complete system of harmony between the two countries. With regard to America, the difference was not less vital—Our policy regarding her ought to be distantly prospective: We should look to her at the distance of fifty years, or even of a century hence; the policy of individuals from our frail condition was very bounded; the laws would not even allow us to contemplate beyond a generation, but nations were immortal, and their governments should look far before them. He had always thought, that the only danger which could possibly assail England was, in the extreme difficulty of keeping this mutable world in its present state, so as to leave this island at the top of the wheel—Our whole policy therefore should be directed to keep her so; whereas our ministers had taken a directly contrary course. They had rapidly changed, and were still changing the face of the earth, and bringing up rival nations in hot-beds, ages before their periods of maturity, to weigh in the scale of manufactures and arts against us.—Surely, instead of quarrelling with America as we had formerly fatally done for two-pence upon tea, instead of a paper system of odious and impracticable monopoly, we ought to encourage by all possible means the prosperity of the United States; we ought to rejoice to see her rapid population keeping our looms constantly at work, not only to clothe her encreasing numbers, but through the most obvious communications springing out of a connection so natural, to spread our manufactures over the whole new world. Had our ministers looked besides to the interruption of our commerce even with our own settlements in the event of war with the United States? He had been stationed in the American seas, and knew the difficulty of our only path to Europe in heavy laden ships, if North America was a hostile coast. But nevertheless, the most positive declamation had been lately announced by government, of persevering in a system which he (lord E.) had over and over again reprobated; particularly when he submitted to their lordships resolutions against the Orders in Council, as not only inconsistent with sound policy, but as manifestly contrary to public law; and one might as well therefore invite a fish to come out of the channel and to roost with rooks upon an elm tree, as to ask him to

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support such a system and its authors.—He meant no personal disrespect to the noble lords opposite, or to their other colleagues, as his own conduct had always been the result of his opinions, he was ready to give them equal credit for sincerity; but good intention was nothing, when the interests of our country were fatally misunderstood. The noble lord said, he deeply lamented the present inauspicious state of things; but as there was no unmixed good in human affairs, so neither was there evil unmixed with good, and great advantage might spring out of the present conjuncture. It would furnish an unanswerable, and he hoped a final refutation, of one of the falsest and most dangerous opinions which could be propagated amongst the lower orders of the people, viz. that these superiors were all alike—all equally corrupt—all looking only to office by the sacrifice of all principle.—Upon the present occasion not one public man had abandoned his pledges to the country, by departing from opinions delivered in parliament, and the public therefore ought to be convinced, that what was too frequently and invidiously stigmatised as party, might be better described as an honourable and useful union of men of great talents, and great fortunes, and influence, esteeming one another in private life, and publicly pledged to their country and each other by similar principles of government.—He was persuaded that a firm phalanx of such men who had acquired public estimation, and who could only hope to preserve it by attending to the interests of the people, was one of the greatest securities of the British constitution.

The Earl of *Harrowby* had really hoped that the noble mover would have withdrawn his address immediately upon hearing the speech of the noble and learned lord who had just sat down; since the House were now told, that to form a broad and united administration was quite impossible at present. Had they not heard from the noble and learned lord, that there was no way of forming an administration which could include the present opposition, except by sweeping away the present administration, and that it was as impossible for him to coalesce with the existing ministry, as for a fish to come out of the channel and live on dry land? Upon what did the noble lord ground his motion?—He stated the situation of the country to be now hopeless—and why?

Because it was reported that in another House, a certain member of the administration wished that the college of Maynooth had never existed. Could any thing be more futile than this statement? The next ground was the notice which had been given by a right hon. friend of his in another place, of a call of the House, when the Catholic petition was to be presented to the House of Commons.—Was this unprecedented or extraordinary?—Was it not important that a question of such acknowledged magnitude should be considered in as full a House as possible? And as to the discourses of this or that clergyman on the subject of Popery, on which the noble lord laid so much stress, as indicating a wish to raise an outcry on the subject, there was surely nothing novel in that; as ever since the reformation, the clergy had been in the constant practice of discussing such topics. Then came the state of the press. Was that a reason that the noble lords should adopt such an Address as the present? When was there a period in this country that abuses of the press did not exist? He never recollected a period when much abuse was not conveyed through the medium of the press against those in high stations. Was it because the press was audacious enough to bid defiance to all decency that the Prince Regent should be called upon to change his ministers? If it was true that a part of the press was so audacious, he was afraid there was but one way of putting a stop to it, and that was to bring in the party to power with which that press was connected, and then no doubt it would be silenced. Such a strong measure as that proposed, had never been resorted to but on extraordinary emergencies. When such a measure was had recourse to in 1783; and in 1784, the occasions seemed to call for it: but in the present instance, the secession of one member of the administration was the only plausible reason given for its adoption. As to the arguments adduced in support of the Address by the noble and learned lord (*Erskine*), he would not attempt to follow him through them; but he would ask that noble and learned lord if he was a friend to the Catholic claims when he was in the cabinet? It was now counted tyranny to resist the Catholic claims. If any noble member thought so, he was certainly right in always agitating that question. But if it was tyranny not to do away the disabilities under which

Catholics laboured, every other system of disability was also tyranny; and it was quite tyrannical to require a member of the House of Commons to be obliged to submit to the law of qualification. He defied the noble lords to say, that the administration did not possess the confidence of the country. If it was indeed so notoriously criminal, and so completely unfit for carrying on the affairs of the country with success, as was so decidedly asserted by the noble lords opposite, then it would be right to address the Prince Regent for its dismissal; but as the contrary was evidently the fact, there was no possible pretext for the motion.

Lord Erskine in explanation said, that he considered a real change of opinions as no accusation, but he had not changed his opinions—he would have approved of all that had been proposed by the late cabinet, and much more than from circumstances they could venture to propose, had he not thought that from the prejudices of the King it would dissolve the administration. (Hear, hear, hear, from the other side of the House!) Lord E. said he was glad to be so cheered, he had laid the trap for it, as it marked most strikingly how general a sensation it was, indiscriminately to impute to public men the love of office and station as the ruling principle of their conduct, which furnished a sound, but thank God, at present an unnecessary caution against being too eager in forming administrations, and placed the conduct of his two noble friends in the very light in which he wished it to be viewed.

The Lord Chancellor, in allusion to what had just fallen from his noble and learned friend, begged leave to remind him, that in the year or two subsequent to 1807, the same obstacle continued to exist; and yet he voted in those years for emancipation. He did not mean to say, that his noble and learned friend had acted wrong in so voting, if he, from conviction, had changed his mind. If he himself could be satisfied that the opinions he now held were weak and foolish opinions, he should act as his noble and learned friend did; but then he must be convinced, before he could change his opinions, that the system of conduct adopted in this country since the Revolution, and the principles on which the Revolution was founded, were erroneous. If Catholic emancipation could be proved to him to be for the general benefit of the state, then it should have his vote; but at present he saw nothing but

danger in concession. It was on this ground that his resistance to an extension of privileges and power to the Catholics rested; and, indeed, he was ready to confess, that whoever resisted it on any other grounds, must be an object of detestation. The noble lord who introduced the motion took great pains to persuade the House that it arose solely from his own individual impulse; who doubted that? The noble lord might have given himself very little trouble on that point; it was of much more importance to consider what was his proposition. He wished it might be read, that the contrast between its complimentary professions, and the wish by which it concluded, might be fully apparent to the House. It began by using the most flattering language towards the Prince Regent. He was told in the beginning of it of his wisdom and prudence, and all his other good qualities and qualifications, and then it quarrelled with the only act which the Prince Regent had done since the cessation of the restrictions. The noble lord proposed, certainly, a most desirable object; that was the formation of an administration calculated to conciliate all his Majesty's subjects. Who disagreed with the noble lord on that point? But he also stated that such an object was impossible of attainment from the known principles of the present administration. He wished for a broad-bottomed administration, which, by the bye, was in general the most mischievous of all administrations. (A laugh.) He would assure the noble lords who seemed to feel this allusion, that he did not mean to speak ill-naturedly of them. Some how or other they had been for a long time out of humour with him; he was sorry for it, for he really wished them every happiness, and if he knew of any means whereby he could promote their comfort, he would be always ready to use them. But to return; the noble lord proposed a broad-bottomed—a more extended administration: what did this mean, after he had stated that the members of the present administration were, from principle, so obnoxious to the formation of any such administration? How would the noble lord extend the administration, if he himself and all his colleagues were to be excluded? As to the opinion in which the present administration was held by the public, he believed that the people of this good-natured country were weak and foolish enough to sanction it by their confidence. Good-natured people were

always weak. But let the cause be what it might, it so happened, that the confidence of the country was possessed by the administration; and that was certainly no very great reason for addressing the Prince Regent to change it. If the Prince Regent had any power at all inherent in himself, it was that of choosing his servants. What he said in 1807 he would now repeat, and that was, that he did not understand what advisers the sovereign could be supposed constitutionally to have in the act of choosing an administration. After an administration was chosen, then, indeed, there existed responsible advisers; but antecedent to that he did not know where to look for them. How this reasoning applied to one of the letters, he would leave it to the noble lords to judge. The particular mention of that letter, he considered disorderly, notwithstanding what had been said to the contrary. It was argued, that there was no particular standing order against which the mention of it militated, and his noble friend was called upon to produce such an order. He would say in reply, that there existed no standing order by which it was considered unparliamentary to use the king's name for the purpose of influencing the debates of the House; and yet who was there that would contend that the latter was not unparliamentary? If the proposed Address should be adopted, then parliament would be, in fact, doing all it could to destroy responsibility. It would be trenching on one of the dearest prerogatives of the crown; it would be attempting nothing less than to appoint the ministry itself: and besides, its conduct would be the more glaringly unconstitutional, because it brought forward not one act by which its dissatisfaction at the existence of the present administration was marked. It was said indeed, that the present administration was averse to the consideration of the Catholic petition. Again he would repeat what he had said so often, that the basis of his opinions was the principle of the revolution. The chief principle of that revolution was civil freedom engrafted on religious freedom, on liberal and extensive toleration; but at the same time, all connected with a view to the maintenance of the Protestant national church, and the Protestant succession. Every thing was then done consistent with these objects; and now we were asked to depart from the establishments which were then so wisely and so liberally

formed. We were asked also to depart from those establishments, without giving any counterpoise to the danger to be apprehended. Securities, indeed, were talked of, and were even paraded in publications, which he would not now allude to, because the noble author of one of them was absent; but when the nature of these securities was asked, who could explain it? Who could inform the House what they were? He confessed that nothing could give him more pleasure than to be convinced that no danger existed from concession to the Catholics. His heart would beat with joy to enter into the consideration of their claims, if any statesman was ready to tell him what securities were to be offered for the protection of our establishments. But when no person came forward with those securities—when the one already proposed was obliged to be abandoned, what could he do but take his stand with the establishments, as settled at the revolution? He had often asked of that great man, whose friendship for him he wished to have recorded on his tomb, as his best encomium, whether he had any specific securities to bring forward, in case the claims of the Catholics should be taken into the consideration of parliament? Although, however, he had pressed this enquiry over and over again, that great person died without being ever able to tell him what securities he thought might be proposed, and what checks adopted. Let the Catholics, then, bring forward their securities, and no person would be more willing than he to enter into the question of their claims; but until that event should come about, he was determined not to consent to a radical change in the constitution, or to adopt any measure which would put its existence to hazard. As to the complaint against the present ministers for their conduct to the States of America, he should not occupy the time of the House in shewing the futility of any such complaint. He believed that the example set by the last administration, in their treatment of America, had been followed by the present; and whatever differences existed, could not, he was assured, be attributed as a fault to either.—He was sure no man could assert, that, in the transactions between the two countries, Britain had been too tenacious. The wording of the Address he repeated was on the principle of exclusion, while it pretended to be on that of the formation of an administration on a

broad and liberal basis. If the noble mover could succeed so far as to get rid of the administration he considered so obnoxious, really where would he procure one to answer the purpose he had described? And, unless the noble lord was prepared to open to the House some future plan, and could shew this would be the effect of his motion, there could be no ground for agreeing to it.

Earl Grey declared that if he were to answer the whole political catechism of the noble lords on the other side, or if he were to make a sort of profession of faith, on all the great subjects which had been introduced or alluded to in the present discussion, the task would be not more disproportionate to his own strength than to the patience of the House. Without however going into all those matters at length, before he sat down, he would advert, as well as he could, to most of the points on which he differed from the members of the present administration, well aware that in such a variety of topics, he had little chance of escaping considerable misrepresentation; for he knew from experience, that say what he would, he could not exempt himself from having in the course of a few days, and frequently in the course of a few hours, sentiments imputed to him directly opposite to those which he actually delivered. Devoid of all expectation therefore of such a nature, he was simply anxious to state to their lordships what the opinions were, which he entertained on the present question. He did not deny that the motion appeared to him substantially intended to produce a change of administration. The noble lord by whom that motion was brought forward, could have had no other object when he made it. It could be understood in no other sense than an application to the Prince Regent, to remove the present ministers from their situations for the reasons there stated, that such a measure could alone conciliate the different parts of this empire, at a period which more than any other required the full exercise of all the resources of the country. This, it had been said by the noble and learned lord who spoke last, was a strong measure. That it was a strong measure he would not attempt to deny. But he confessed he had heard with much surprize that night, that this measure was unconstitutional; and that to express the sentiments of the House, with respect to the present ministry, was to interfere with the prerogative possessed by the crown of

nominating its ministers. It was certainly no part of the duty of the House either to nominate the ministers of the crown, or to point out the method in which they ought to be nominated. But while he allowed this, he must be of opinion, that if sufficient grounds could be shown why a ministry were unfit to fill the situations which they held, there was nothing in parliamentary precedent to prevent the House from making an application to the crown for the removal of those ministers, when it was thought they were unequal to the crisis. This he would contend was a subject within the cognizance of parliament; and to exercise their powers on such an occasion, was not only a legitimate but a laudable object; it was an endeavour to consolidate all the strength and resources of the empire. The question for the consideration of the House then was, whether the present administration, in its quality and principles, presented obstacles to the union of the strength and resources of all parts of the empire. It might safely be said of this administration, that it was formed on the express principle of resistance to the Catholic claims. This was the principle by which the person who was at the head of that administration made his way to power. This was the principle which led him to make use of all the arts of detraction to attain that object. This principle he loudly proclaimed, from the moment at which he had been called from the bar to take a share in political life up to the present instant. It was his boast—it was put by him in the front of the battle—the eternal exclusion of his Roman Catholic fellow-subjects from any share in the constitution. When he had stated, that such was the principles of that person, he had no need to say more to shew that they were the principles of administration. He was the administration. Whither he led, the rest were obliged to follow.—Was he to be told by the noble and learned lord on the woolsack, who had just stated resistance to the Catholics to be a fundamental principle of the Revolution, that that noble and learned lord differed on this subject from the person at the head of the administration? Did the Secretary of State for the Home Department differ from him? He could hardly think that the person who wished from his heart that Maynooth College had never existed, was hostile to the principle of his leader. Perhaps it might be said that the new addition to their strength

differed on this point. Of the noble lord he alluded to (lord Castlereagh) he was unwilling to speak in his absence. He could not, however, forbear saying, that it appeared to him the principles of that noble lord were even very much what he himself described Europe to be, "in an unsatisfactory state." Agreeing to the principle of those who advocated the claims of the Catholics, that noble lord could never see a convenient time for the application of that principle, so that he fully coincided in the practical part of the conduct of his co-adjutors. Perhaps it would be said, the noble earl opposite differed on this principle. But as the leading members of the cabinet maintained the necessity of exclusion, and the others blindly followed them in their practice he was warranted in stating the present administration to be founded on a principle of resistance to the Catholic Claims. The noble and learned lord had said, he had never heard of any sermons lately preached on this subject. Where the noble lord had lived he knew not; but he knew that within these few weeks, persons invested with the sacred character of clergymen, forgetting all the principles of that religion which they professed, instead of preaching the doctrines of peace and unity, which it was their duty to preach, had thought proper to endeavour to inspire one part of the community with hostile feelings against their brethren; and of those persons who acted this most unbecoming part, some were supposed to be seriously connected with the persons who composed the present administration. One of them it appeared, from the Gazette, was lately selected to be one of the chaplains to the Prince Regent.—Had he not a right therefore to call the existing cabinet a cabinet of intolerance, preventing that union of common interests and affection, so necessary to the country in her present hour of peril? They had heard that night of broad and narrow administrations; and the noble and learned lord on the woolsack had observed, that nothing was so mischievous as a broad-bottomed administration. With this character he was disposed to concur, if the noble lord meant such a broad and liberal basis as should comprehend persons of the most discordant opinions, who for the sake of coalition, must either sacrifice their own sentiments, or carry dissensions into the cabinet. But the present administration was narrowed to complete unanimity; for if report spoke

true of the other accessions to the administration, they would be found possessed of exactly the same character, and very suitable additions to an administration founded on a principle of resistance to the Catholic claims. He saw two noble lords on the cross bench (lords Sidmouth and Buckinghamshire) who were publicly designated as the future supporters of administration. He knew not whether any communication had yet been made to them from the ministry. Who were these noble lords? They were the only lords who, in the late debate on the Catholic claims in that House, ventured to assert the principle of eternal exclusion. One of them came forward with the doctrine of the coronation oath, operating as an eternal exclusion against the Catholics, and the other with perfect consistency had proposed measures which united every class of dissenters in one common cause. Now looking at an administration so formed, was it not, he would ask, an administration which must of necessity be obnoxious to a great part of his Majesty's subjects? The noble and learned lord had told them, that nothing would make him so happy as to extend the benefits of the constitution to all classes of the people, in so far as the same could be done without danger to the state; but, that the fundamental principles of the Revolution stood in the way of all further concession. For his part he denied this to be a fundamental principle of the Revolution. He denied that it was the principle of those great men by whom the Revolution was accomplished. — The disabilities against the Catholics were not established for the purpose of guarding the national church against those who professed another system of religion, but for the purpose of withstanding political tenets, by which the constitution was endangered. "The noble and learned lord," exclaimed lord Grey, "calls upon us for securities. We ask him for his danger?" The danger consisted not in admitting the Catholics, but in excluding them from the constitution. Already they were possessed of great riches and great political power, and constituted an important part of the strength of the state. By this exclusion they were forced and united into a separate interest. Take away the exclusion and the motives for a separate interest no longer existing, the hostility to the state would also necessarily cease. But what securities were to be proposed? The noble and learned lord

had stated that Mr. Pitt knew of none. Mr. Pitt brought forward this very measure of concession to the Catholics, which he considered as necessary to the safety of the state. Could he propose such a measure, if he thought it would endanger the safety of the state? But the noble and learned lord had said, that Mr. Pitt had no securities to propose. Then all the conduct of Mr. Pitt was nothing but a pretence; and he did not state the securities because he was unwilling, but because he was unable to do so. The noble and learned lord had spoken in encomiastic terms of the value which he set on Mr. Pitt's friendship, he declared that he wanted no other eulogy on his tomb than that he had been Mr. Pitt's friend; but if this conduct of his to his departed friend was friendship, he would rather, for his part, have that noble and learned lord for his foe, than his friend. Let noble lords put themselves in the situation of the Catholics, and say, what would their feelings be, if they had been treated by the government in the same manner? They had received many concessions, in their very nature such, that they could not stop with them—no philosopher or statesman could think of them but as temporary expedients. The greatest names had deemed ultimate concessions right. Mr. Fox, Mr. Pitt, Mr. Burke, and Mr. Windham, all of them friends to the established church, however much they might differ on other subjects, concurred in this, that conciliation to the Catholics was absolutely necessary. In 1795, when a noble lord (Fitzwilliam) had gone over to Ireland with the power of conceding to the claims of the Catholics, their expectations, thereby excited, were speedily cut short by his sudden recal. He would not enter into a retrospect of the scenes of blood and torture that ensued—scenes even more horrible than those which attended on the French revolution. After this period came the Union, another source of the excitation and disappointment of the hopes of this body. By whose means was that Union obtained? By the support of the Catholics. By a too ready confidence the Catholics of Ireland did then come forward and support that Union which without their assistance could never have been carried. Their disappointment must now be aggravated by the feeling, that if not foolishly duped, their wishes might already have been granted. If the House, like the Catholics, had supported the Union, under the hopes

of attaining the cession of their rights through the calmer discussions of the United Parliament, what would they think of the government which imposed an everlasting bar against their approaches? They could not wonder if great disturbances were the consequences, and if from affectionate subjects they should come to look on this country with ill-will and hatred. In what respect was the situation of the Catholics now hopeless? He did not wish to name the Prince Regent for the purpose of influencing the debate. He would not state what the feelings and opinions of his Royal Highness might be at the present moment, having only the opinion of his responsible advisers to look to. But he could not help stating, that a very general hope was entertained by the Catholics, that the Prince Regent was favourable to their claims, and that a new æra would by the course of nature arrive when bigotry and oppression should no longer oppose them. That new æra had now arrived; but instead of its being to the Catholics a consummation of their hopes, they saw the whole power of the government embodied against them, under some cursed and baleful influence; and nothing remaining to them but a prospect of perpetual exclusion from the benefits of the constitution. If the House believed the Irish to be what they had ever been represented, a brave, a warm-hearted, a sanguine, a high-spirited people—if they believed them to have contributed largely to the military glory of this empire, the dangerous effects which such a disappointment might produce, would be formidable in the same proportion. We might anticipate dangers greater than any which this country had yet struggled with. A noble lord (Harrowby) had asked, if it was not mockery and insult to address the Prince to form a combined administration, after the correspondence which had been so much referred to? But in this a noble and learned lord had corrected him, and justly defined that it was not for a broader administration, but for one avoiding the character of the present, and calculated to ensure the affections of the people. It might be as narrow as the present, and as exclusive; but as it would exclude only those dangerous principles which went to disunite and distract the country, it would be preferable to that now in being. Those who were friendly to the Catholics would, of course, be more acceptable to that body. The noble and learned lord had

boasted that the present administration possessed the affections of the people of England. Undoubtedly popularity was dear to him; but he had never endeavoured to court popularity by a departure from any one principle of which he approved, whatever obloquy might be the consequence. He supposed the meaning of the noble and learned lord was, that the present administration was supported by the opinion of the majority of the people of England on the Catholic question. Of that he was very much inclined to doubt. He was aware, however, that the person at the head of the government might again employ all kinds of arts to inflame the people with imaginary dangers, aided as he might probably be with all the power of the church. But what would be the consequence of his success? To aggravate the evil and increase the danger—to make the Catholics perceive that it was no longer a set of men whom they had to consider as their enemies, but the people of England; and what could be the result but the separation of the two countries?—Who would be able to repair the breaches of an administration powerful in all the means by which empires were hurried on to ruin? He believed, however, that the people of England were, as they had been at a former period, ready to support the measure of Catholic emancipation. That question would once have been carried with as little difficulty as any matter ever proposed to Parliament, but now the cry was raised against it by those who, with equal guilt, had first instilled into the royal mind those scruples of which they afterwards took advantage; for all which a deep and heavy responsibility rested upon their heads.—The noble lord had inquired, if the present administration were displaced, where would they get another? In the Letter subscribed by his noble friend and himself, they had stated, that they could not join with men united together on the principle of Catholic exclusion, and could not come into power without advising to give relief to the Catholics. But might they not unite with such as held similar opinions with them on this point?—When he signed the Letter, he was most sincere in saying, he did not act on personal exclusive principles; for he might perhaps be permitted to say this of himself, that, however much he had mixed in political controversy, he was little subject to political resentments. When an union could be honourable, and

advantageous to the nation, he would ever be ready to unite. But character was as much the strength of men as it was that of a nation, and he could conceive nothing more dangerous than to shock the public opinion by an appearance of sacrificing principle for the sake of attaining office and emolument; for himself he disclaimed any such views, or any great desire for place at all. But did the noble lords opposite—they who were the advisers of the Regent on this occasion—who were his ministers before, and had continued to be his ministers since; did they expect, that in consequence of the Regent's Letter his noble friend and himself could have consented to coalesce with them?—Would they venture to deny, that they were consulted on the Letter? If so, it would establish the point, that there was an influence behind the throne, the most dangerous that could exist. Nay, he would put the question in another form, and suppose he and his friends had been in power, and had sent such a Letter to the noble lords opposite, would they have acceded to the offer? He believed they would not. But were there no others with whom they (lord Grey and his friends) could unite? or, if both parties were put out of the question, were there not others to form an administration without them? If the address could be carried, and the Regent could find others of whom he might form a cabinet, holding the same opinions on the Catholic question with himself (lord Grey), they should have his warm support; and on any points in which he might differ from them, his opposition should be reluctant and gentle. He was too much exhausted to go through the remaining topics at any length. On the repeal of the civil disabilities of the Catholics, therefore, he would only briefly state, that he was prepared to define what securities he deemed sufficient on this score to satisfy him.

Adverting to the questions at issue between this country and America, he observed that this important subject had been so ably treated by his noble and learned friend, as in a great measure to relieve him from the necessity of adding any thing further. He would, however, embrace the occasion of saying, that if it was imputed to him that he was disposed to give up one single right, or to abandon any principle connected with the maintenance of our essential maritime interests, the imputation was most false and ground-

less. His feelings in support of those interests, would lead him to go as far as any man, although he should still deem it necessary to weigh the true value of those disputed interests, and to guard against making a sacrifice disproportionate to the object to be attained. If once persuaded that the national honour was at stake, or that those rights on which our national independence was founded, were attacked, he should feel no difficulty to act with all the directness, and vigour, and determination, which, under such circumstances, would be indispensable to our safety. But he could never lose sight of that principle which ought to lie at the basis of all national policy, namely, that, as it had been well expressed by Mr. Burke, "as we ought never to go to war for a profitable wrong, so we ought never to go to war for an unprofitable right." If the prosecution of the right were likely to lead to consequences more dangerous and destructive than those anticipated from its relinquishment, it was almost superfluous to say, such a right ought not to be insisted on. He well remembered, that during an opposition carried on with something more than parliamentary virulence and pertinacity, while he had the honour of holding an office in administration, he was often pressed in the other House to assume a different tone, and to act upon what was called a more decisive policy. He had then employed, as an illustration in defence of his own doctrine, the fable of the man who threw cocoa nuts at the monkey in the hopes that the monkey would throw cocoa nuts at him; because he believed that the object of Buonaparté was to embroil us with America, for the furtherance of his own purposes. A new system had, in his opinion unhappily for this country, enabled the enemy to succeed in his incitements; to triumph in his policy, and to make us the instruments of his ambition. Upon the subject of the state of circulation, interesting as it was, and decisive as his views were upon it, did it follow that he held it to be indispensable to recommend immediately the resumption of cash payments by the Bank? It was not to the omission of that particular measure that his principal objections were directed, but to a perseverance in a system not founded upon just principles, and which therefore the longer it continued became the more menacing and calamitous in its operation. His wish was to revert as much as possible to true principles,

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and keep the circulating medium within certain bounds. Supposing, then, the Catholic question decided, an impassable line of separation existed between him and the present administration, in the proposition for making Bank-notes a legal tender. With respect to the policy which the circumstances of the present crisis demanded to be maintained in the affairs of the peninsula, he certainly was not prepared to say that it was expedient to recall our troops immediately home; but he certainly did not wish to proceed on that expensive mode of warfare, without having some military authority as to the probable result of it; and he wished, above all, to see the opinion of the illustrious commander of the forces in that country on the subject. No part of national policy was more open to repeated discussion, or more calculated to engender a diversity of opinion, than the most proper mode of carrying on foreign warfare. The first principle in the policy of all wars was to inflict the utmost possible injury on the enemy, at the expense of the least possible injury to ourselves. Such a question, therefore, as that which related to the continuance of the present contest in the peninsula, depended on a variety of considerations, arising out of recent events and the consequent and relative situations of ourselves and of the enemy. In determining on the expediency of any measure of this nature, he was to be guided by calculations formed on an extensive combination and comparison of circumstances. He thought, and thought most decidedly, that a reduction of our expenditure was called for by reflections of the most urgent and powerful kind; and he would feel it to be his duty, before he could agree to the continuance of any continental enterprises like those in which we were now engaged, to take a wide survey of our own resources, to measure their extent, and the means of their application to the objects for the attainment or promotion of which they were proposed to be exerted. If the result of such an estimate were to establish any thing like a certainty of success in the schemes that were devised, all his hesitations and difficulties would be removed, and he should consider even the most extensive scale of foreign operations as recommended and supported by the principles of œconomy itself. He hoped too that he felt as warmly, and was as willing to acknowledge that feeling as any noble lord, the

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justice of that cause which we were maintaining in the peninsula. No cause related in the annals of mankind ever rested more entirely on sentiments of the most honourable feeling, or was more connected, if circumstances were favourable, with principles of national advantage. The spectacle exhibited was the most interesting that could engage the sympathies or the attention of the world, and it was impossible not to wish to afford assistance to the noble struggle of a free people against the most unparalleled treachery, the most atrocious violence that ever stained or degraded the ambition of despotic power. If he could but calculate on the probability of supporting such a cause to a triumphant issue, there could remain no doubt but that the separation from France of such a country as Spain, containing her extent of territory and amount of population, would be to augment in a great degree our own national security. But those principles, on which the prosecution of that war could be defended, must be reduced to a mere speculative theory, unless supported by adequate exertions from the Spanish people and the Spanish government; without that necessary co-operation all our efforts must prove useless. With a view to those advantages, we had unsuccessfully before contended in that very country against France, then much less powerful than at present. He did not mean to say that, from these considerations, we were to withdraw our armies from the peninsula; but he thought that, before we proceeded further on the present expensive system, the House should have the distinct opinion of the Commander-in-Chief, as to the probable result of the operations, and enquire into the means of carrying on the contest by a more limited expenditure of our remaining resources. It would be his maxim to guard against endangering our own safety in the prosecution of remoter interests. These were his principles and his opinions; he had stated them distinctly, however assured at the same time, that he should to-morrow see them completely misrepresented in the newspapers. He was desirous of adding a few words upon what had fallen from the noble lord who moved the amendment, respecting what he was pleased to call the complete success of our arms, during the last two years. For his own part, when he looked back to the events of that period, when he recollected the original objects of the war, and knew,

as every other man knew, that the defence of Portugal must be impracticable after Spain should be entirely subdued, he could coincide in no such declaration. We had, unquestionably, achieved much; and in the capture of Ciudad Rodrigo he concurred in the admiration justly due to the vigour, celerity, and military skill so eminently displayed by the great commander who conducted that important enterprize. But when he looked to another part of that kingdom, and saw Badajoz in possession of the enemy—when he turned his attention to the operations in Catalonia—when he saw that, within the last two years, Tortosa, Lerida, Tarragona, Saguntum had yielded—that Valencia had fallen—that the province of Murcia was over-run—he was at a loss to discover what new prospects of success had dawned upon the Spaniards. Those conquests opened to the enemy a free communication between all their divisions; and they would soon be enabled by that circumstance to bring the whole weight of their united forces against the British. He did think too that ministers had been culpably negligent, in not having exerted, in the quarter to which he had just adverted, the means actually in their power, by employing a considerable naval force, for the purpose of lending our allies more effectual succour. In Catalonia for instance, such a system, if properly conducted, would, in all probability, have enabled the warlike population of that province to expel their invaders. Where then were the symptoms of this boasted success? Lord Wellington, at the head of an army of 62,000 as effective men as were ever led into the field, had been compelled to remain on the defensive. With a force greater than that commanded by the duke of Marlborough at the most splendid æra of our military history, lord Wellington had found himself limited to the pursuit of a defensive system. The country had been told, indeed, to look at the exertions of the Spanish Guerillas for a substitute to the assistance of regular troops, in which the natives of the peninsula were so deficient. On this he founded no great hopes, yet he was not able, from want of sufficient documents, to state precisely the weight which their assistance might have in the scale. But, momentous as all those objections were, in his opinion, against the present system of government, they sunk into insignificance, when compared with one point on which he had to make a few observations; a

point in his estimation of paramount importance. He alluded to the existence of an unseen and separate influence which lurked behind the throne. An influence of this kind had too long prevailed, not less incompatible with the constitution, than with the best interests of the country. An influence of this odious character, leading to consequences the most pestilent and disgusting, it would be the duty of parliament to brand by some signal mark of condemnation. It was his rooted and unalterable principle, a principle in which those with whom he had the honour to act fully participated, not to accept of office without coming to an understanding with parliament for the abolition of this destructive influence; which consolidated abuses into a system, and by preventing complaints from reaching the royal ear, barred all hopes of a redress of grievances. Holding these views and sentiments, he had thought it his duty to submit them to the House, and however various might be the opinions entertained of them, he had at least to congratulate himself on his own self-approbation. He had, however, the pride and satisfaction of reflecting that he still continued to enjoy the esteem of those friends for whom he felt the most sincere respect. All the arts and intrigue that had been attempted, in order to seduce many of those who had previously concurred with him on most of the great public questions of the day, had failed, except in one solitary instance, and that was scarcely worth notice. He trusted he had sufficiently explained the reasons by which he had been induced to sign the Letter so frequently alluded to in the course of the debate; and with respect to his noble co-adjutor in that proceeding, he must say of him, that the sentiments which that Letter conveyed, were in strict conformity to the whole tenour of his noble friend's political life.

Lord Mulgrave denied the existence of that secret influence, to which such power was attributed; but without laying too much stress on the arguments adduced in debate, it was evident, as a noble friend of his had stated it, that the aim of the motion was to remove the present administration; and the proposed Address could have no other effect than that of dictating to the Prince Regent the choice of his ministers, which would not be a fair and constitutional proceeding towards his Royal Highness, who had already endeavoured to form an administration on a liberal and extended basis. Adverting to several of

the political grounds on which a difference of opinion subsisted—the conduct of the war on the peninsula, the Orders of Council, the state of the currency, &c. he asked whether the noble lords opposite were so rash as to propose at once a radical change in all the measures adopted on those important subjects, or whether they were inclined to follow the same measures, and only to change the administration? It should be recollected, besides, that in every thing they had done, the present ministers had repeatedly obtained the sanction of parliament. And now the House were called upon, without any solid ground, to present an Address, which would go to operate an entire change of administration, and a complete alteration of the system hitherto pursued. The great question, which divided the opposition from the ministry, was not only the general policy of the country, but more specifically the state of the Irish Catholics. He wished, however, that it should be distinctly remembered by those who supported the justice of Catholic emancipation, how great was the difference between the present state of the Catholics and that in which they were when the concessions were granted in 1793. Every heart in the empire rejoiced then at the partial removal of their disabilities; they had deserved that favour by their constitutional deportment, and every one hoped that by continuing to pursue the same line, they would entitle themselves to further indulgence.—But now their petitions were urged in avowed contempt of the law, and in open defiance of the authority of the government. The objections to their claims arose not only from what was their conduct, but also from what were their demands. They demanded high situations in the law, the army, and the navy: “give them those situations,” said their advocates, “and they will be satisfied.” But were we sure of that? Were we sure that when these claims were conceded, fresh claims would not be advanced? Did they not say that they would be satisfied with the concessions in 1793: and yet had they been so? Had they not since offered pledges of security, which they subsequently withdrew? Their demands indeed now, were something like those of the beggar in Gil Blas, who levelled a musquet to enforce the charity he solicited. It remained, therefore, a question for their lordships’ decision, whether they would hazard introducing the Catholics into the govern-

ment of the country, disposed as they were, not to concede the guards that were requisite; and looking thus at one most important feature of the motion, he thought it utterly impossible for their lordships to entertain it. It would be, indeed, in his opinion only an insult to carry up an Address to the Prince Regent, worded as that was which had been submitted to them; and if a fresh Address were substituted, it would require the mature consideration of their lordships before it could be voted.

The Earl of *Moir* had not entirely made up his mind as to the vote he should give on the question when he came down to the House. He should certainly have felt unwilling to interfere with a branch of the prerogative, by presuming to influence the opinion of the Prince in the choice of his ministers, and he was glad that no such idea could be deduced either from the motion itself, or from the arguments of his noble friends. Yet, if nothing else but the removal of the present ministers could give the Roman Catholics of Ireland any prospect of obtaining a redress of their grievances, he thought, that such a change ought to be rapturously hailed by the whole country. He was of the same opinion as his lamented friend (Mr. Fox,) that the measure could never be carried without the concurrence of administration, and the speech of the noble lord, who had just sat down, had removed all doubts as to the intentions of the present administration, if any doubts could have still been entertained. The noble lord had stated, that the broad and unqualified principle of excluding the Roman Catholics of Ireland from the benefits of the constitution, without even giving them a glimmering ray of hope, had been adopted by ministers; and he had attempted to justify that conduct, by the most unjustifiable assertions. To these he could not tamely listen. The noble lord had stated, that the Roman Catholics of Ireland acted in contempt of the law, and in open defiance of the authority of government; this he denied, and he called on the noble lord to substantiate his assertions by proofs.—There was, indeed, a nice point of law still left undecided, which might come by way of appeal before their lordships in their judicial capacity; but this did not authorise the noble lord to decide the question at once, especially when they had heard a high authority (lord Erskine) declare, that the Catholic Convention was not contrary to

law. The noble lord had urged to the House, that an indirect attempt to remove ministers ought to be considered as an encroachment on the prerogative. He might be right as to principles; but was no allowance to be made for the noblest and most patriotic feelings? When they considered the state of the country, involved in a struggle, in which her very existence was at stake—her population groaning under a load of taxes, her manufactures ruined, and her currency depreciated, could any of the noble lords on the opposite benches say, that an extraordinary remedy was not necessary to remove evils so portentous and so complicated in their nature? And where could that remedy be sought but in the removal of men who were still so obstinately wedded to the very measures which had brought the country to such a crisis? Those men so bigotted in their opposition to the Roman Catholics of Ireland, could not be ignorant of the actual state of that country.—They were not to learn, that perhaps in the course of two months, an insurrection might be apprehended; that it had been lately on the point of breaking out, on account of an advance in the price of provisions—and this was the moment they chose to avow, in the most insulting terms, a system of perpetual exclusion against the Roman Catholics of Ireland.—The population of Ireland furnished one half of the forces of the empire, and this was the moment they chose to disgust them from the service. He declared on his honour as a peer, and as if speaking in the face of the Almighty, that in his opinion England could find no safety, but by conciliating the people of Ireland; this was his confirmed, his unshakeable conviction. He knew of no other method, and he was confident there was no other method. There was no hope for safety in the present arduous struggle, but by cementing the bonds of union between all classes of people, by uniting all hearts and all hands for the defence of the empire, and by rallying the whole of the population round the standard of the constitution. The language held out on that night by the noble lord, had, however, removed those pleasing hopes from the reach even of imagination, and no alternative remained for the safety of the country, but the removal of the ministers who had avowed such principles. He repeated that he had come down to the House undetermined as to the vote he should give. The

speech of the noble lord opposite had fixed his irresolution, and opened his eyes; he should therefore vote for the original motion.

The House then divided upon the amendment—Contents Present, 90; Proxies 75; Total 165. Non Contents Present, 43; Proxies 29; Total 72.—Majority for the Amendment 93. The original question was then put, and negatived without a division.

List of the Minority.

PRESENT.

DUKES.	Grey
Somerset	Casullis
Norfolk	Charlemont
Bedford	Hardwicke
Downshire	Cork
Argyll	Lucan
Grafton.	Lauderdale
MARQUISSES.	Rosslyn
Lansdowne	Donoughmore
Stafford	Cowper
Devonshire	LOBDS.
Wellesley	Amherst
EARLS.	Borringdon
Derby	Dundas
Essex	Erskine
Bristol	St. John
Albemarle	Say and Sele
Grosvenor	Grantley
Ossory	Somers
Jersey	Holland
Fitzwilliam	Ponsonby (Imokilly)
Spencer	Bulkeley
Moir	Byron
Darnley	Hutchinson

PROXIES.

DUKES.	King
Somerset	Ponsonby
St. Albans	Ducie
EARLS.	Foley
Thanet	Ashburton
Carlisle	Berwick
Tankerville	Braybrooke
Guilford	Grenville
Darlington	Auckland
Ilchester	Mendip
Fortescue	Yarborough
VISCOUNTS.	Lilford
Hereford	Carysfort
Anson	Carrington
LOBDS.	Granard
Spencer (M. Blandford)	Crewe

HOUSE OF COMMONS.

Thursday, March 19.

PETITION FROM GLASGOW RESPECTING THE EAST INDIA COMPANY.] A Petition of the directors of the chamber of commerce and manufactures, established by

royal charter, in the city of Glasgow, was presented and read; setting forth,

"That by the Act 35 Geo. 3, c. 52, the entire right of commerce and navigation in the seas, and to the territories between the Cape of Good Hope and the Straits of Magellan, is vested in the body of merchants incorporated under the name of The East India Company, and that this exclusive right, if not renewed, will terminate on the 1st of March 1814, after which the company will still remain a corporation, on the same footing as to this trade as other British subjects; and that, by the Act 37 Geo. 3, c. 97, the privilege of trading to those countries, although denied to British subjects, is permitted to foreign nations in amity with his Majesty; and that the private trade which British merchants were allowed to prosecute under the regulations of the Act 1793, although fettered with vexatious restrictions, has continued to increase, and shews to what extent it might have attained, had it been left to its free and natural operations; and that the merchants of the United States of America, availing themselves of the liberty which they have been allowed to enjoy, at the expence of our own people; have prosecuted the East India trade in a manner and to a degree which has enriched the individuals, increased the national wealth of that country, and supplied, as far as was possible, not only the continent of Europe, but South America, the West Indies, Turkey, the foreign ports of the Mediterranean, and even Malta, with East Indian commodities, thus, by their industry, economy, and dispatch, compelling the company to shrink from the competition, employing British capital in a trade which the laws of this country prevent its own subjects from using directly themselves, and possessing, in consequence of the monopoly, the incalculable advantage of having to contend not with the skill and resources of British merchants, but with the prodigality and negligence of a joint stock company; and that the actual operation of this monopoly thus appears to be directed not merely against British subjects, but in favour of foreign nations; and that no satisfactory reason can now be assigned against opening the trade to China, because the supposed delicacy of allowing a general intercourse with that people is completely removed by the success which has attended the American traffic; and the same means which have enabled the company to manage their affairs in China

may be established under the authority of government, because the ideal difficulty of the collection of taxes, in the event of the trade being divided, is fully obviated by the known safety with which the duties are levied on articles of West Indian and American produce, and because the imagined hardship of depriving the Company of the only lucrative branch of their monopoly will be alleviated by the wealth, influence, knowledge, and experience, which in their united capacity, they will still be enabled to oppose to the unassisted efforts of private merchants; and that the natural effect of throwing open the charter will be to excite a fair emulation to bring all the produce of the East to its proper level in this country, to enable our manufacturers, with more advantage, to exert their skill and industry to produce new sources of trade, and thus to give full employment to the operative classes of the community; and that the system of confining the East India trade to the port of London the petitioners would beg leave humbly to represent as unnecessary, unjust, and impolitic; unnecessary, because the duties may be collected with equal ease and less loss, by pilferage in the out ports; unjust, because every mercantile place in the united kingdom is entitled to the same privileges; and impolitic, because the superior economy and dispatch which prevail in the out ports, are requisite to secure an equality in the competition with foreign nations; and that the very existence of a beneficial prosecution of the East India trade, by this country, seems now to depend on the restoration of its freedom, as it is proved, by undeniable documents, that if it be allowed to continue, under its present restrictions, it will languish, decay, and pass into the hands of other states; and that the danger supposed to arise from excess of speculation at the commencement of an open commerce with India, the Petitioners would humbly represent to be imaginary, because the enterprize of individuals is uniformly circumscribed by their means and success; because any evil of this nature is temporary, and checks itself; and because the very worst that can occur, in the event of the abandonment of the trade by the public, would be, that matters again would return to their present state; and that, at a time when the anti-commercial system of France has been successfully exerted to exclude us from the continental markets; when the prosecution of an ex-

tensive war renders it necessary to adopt every means for augmenting the revenue; and when our existence as a nation depends, in a great degree, on the maintenance of our naval superiority, the Petitioners apprehend it to be not only highly expedient, but indispensably requisite, to open up every legitimate channel of trade for the preservation of our commercial, maritime, and financial interests; and that the Petitioners, satisfied that the injury arising from every monopoly must be proportionate to the extent of the trade thus confined; convinced of the importance, and even the necessity, of a free intercourse with the rich, populous, and extensive countries in the East, as well those formerly acquired by the company, as those lately subdued by his Majesty's arms; and, disclaiming all interference with territorial rights and political privileges of the company, humbly pray, that the House would take this most important matter into their consideration, and, by allowing the monopoly to fall on the 1st of March 1814, open the commerce of the countries lying between the Cape of Good Hope and the Straits of Magellan on equal terms to the merchants trading from every port of the united kingdom."

Ordered to lie upon the table.

PETITION FROM LIVERPOOL RESPECTING WEST INDIA PRODUCE.] A Petition of the West India planters, merchants and others at the port of Liverpool, interested in the trade to the British West India colonies, was presented and read; setting forth,

"That, notwithstanding the temporary relief afforded to the growers and importers of sugar, by the Act of the present session of parliament prohibiting the distillation of spirits from grain, and the admission of sugar as a substitute, the Petitioners cannot but recollect their past distresses, nor contemplate without alarm, the period when this prohibition may cease, and the ruinous depression of the price of sugar that must, in all probability, ensue and be consequent thereupon; and that, in anticipation of this possible, and, in the minds of the Petitioners, not improbable event, they humbly beg leave to refer the House to the suggestion contained in the report of the committee who were appointed to take into consideration the commercial state of the West India colonies, and to report their proceedings from time to time, which report was ordered to be printed on the 24th of July 1807, *videlicet*, 'To extend

the principle which has been adopted on the contingent increase of duty from 27*s.* to 30*s.* per hundred weight, so that, from the maximum of duty then fixed on a gross price of 80*s.* per hundred weight affording 30*s.* duty, and 50*s.* to the planter and importer, the duty should be thrown back on a similar scale, in proportion to the depression of the market, till the price arrives at 60*s.* gross, leaving 20*s.* (the original duty) to government, and 40*s.* to the planter and merchant, or, in other words, a reduction of one shilling duty on a reduction of two shillings gross price from the average then fixed for the imposition of the new duty, as far as 20*s.* per hundred weight; such regulation to continue until the conclusion of a general peace; and that the Petitioners also beg leave to call the attention of the House to the distresses under which the coffee planters have laboured for some time past, from the want of a market for that article, in consequence of which they have no other prospect before them than that of ruin to themselves and their families; and that, from these distresses, during the continuance of the war, the Petitioners see but one mode of relief, which is, to encourage, by every possible means, the consumption of coffee in this country; and, in looking to this object, the Petitioners have found considerable obstacles, not only in the still too high rate of duty charged on coffee taken for home consumption, but in the regulations which are adopted for the due collection of that portion of the duty which is placed under the superintendence of the board of excise, by obliging all retailers of coffee to take out licences for their stocks, and all purchasers to take permits for its removal from place to place; and praying the House to take the case of the Petitioners into consideration, and to pass a Bill for levying the duties on sugar according to the scale suggested by the Committee in the report referred to, for repealing the Excise duty now payable on British plantation coffee taken for home consumption, and for removing the Excise regulations on the sale and removal of coffee, or to adopt such other measures, adequate to the permanent relief of the Petitioners in the premises, as to the House may seem meet."

Ordered to lie upon the table.

HOUSE OF COMMONS.

Friday, March 20.

PETITION FROM BLACKBURN RESPECTING THE STATE OF PUBLIC AFFAIRS.] Mr. Blackburn presented a Petition from several inhabitants of the town and neighbourhood of Blackburn, in the county of Lancaster, setting forth, "That, in the exercise of those inestimable rights with which the constitution of the country has invested them, the Petitioners venture to lay before the House their sentiments and feelings on subjects of the highest importance to their national and individual welfare; and that in the institution of the authorities of the House, the Petitioners behold that link which unites them to the throne, and to the House, as the Representatives of the people, they direct their confidence and expectations; the immediate connection of the House with those whose suffrages have entrusted to them the preservation of the interests of the Petitioners, naturally emboldens them to look to their sympathy for commiseration, to their wisdom for direction, and to their measures for redress; they will therefore state, with respectful submission, the circumstances on which their claims to the attention of the House are founded, and, in making this appeal to them, they are persuaded, that not only are their own convictions expressed, but the known undisguised and avowed convictions of thousands in every part of the united empire; and that the Petitioners reside in the most populous of the manufacturing counties, and unhappily possess the means of accurately observing the effects of protracted war and restricted commerce; in ascertaining those effects, it will be sufficient for them to state the high price of all the necessaries of life, the unparalleled and long-continued reduction of wages, the frequent interruptions of labour, the consequent difficulty of obtaining a bare subsistence, the rapid advancement of parochial rates, the increasing deficiencies in the collection of assessed taxes, the exhaustion of the little stores by which the more laborious and provident formerly hoped to obtain a trifling elevation above absolute poverty, the gradual disappearance of the middling classes, which are fast melting down into the lower orders of the community, and the certain prospect of evil still more injurious to the individual sufferers, and to the interests of the country at large; these are some of the consequences of that state of things which is so poignantly to be deplored, and the causes and removal of which, the Peti-

tioners pray that the House will take into immediate and dispassionate consideration; in thus adverting to the afflictive privations of the poor, the Petitioners by no means wish it to be inferred that they are the only sufferers; it must be obvious to the House, that the unprecedented number of failures and bankruptcies in the higher departments of commercial society, and in all its descending gradations, are immediately owing to those causes, which, in their ultimate but severest operation, affect the labouring and mechanical classes; they could easily amplify this general statement by a minute detail of painful events; but the members of the House are sufficiently acquainted with the numerous and increasing accumulation of facts in support of the account which has been presented; what those causes are to which evils of such enormity and magnitude may be traced, it is not difficult to ascertain; the Petitioners submit that they may be discovered in the impolicy which suggested, adopted, and still continues unrevoked, the Orders in Council, in the absence of conciliatory measures towards the United States, and in the want of clear, prompt, and satisfactory explanations in diplomatic negotiations with that country; but they are imperiously compelled to specify what, in their apprehensions, is the primary cause of their sufferings; as natives of a country professing the Christian religion, they deplore the moral effects of war; as men, they lament the miseries of their fellow-creatures; as Britons, they feel convinced that war is inimical to their interests; that its continuance is more injurious to a commercial country, like our own, than to one which possesses, within itself, greater physical resources; that the subjugation of the enemy is more impracticable than ever; and that his power is more firmly compacted by the opposition he has encountered; supported by these facts, in the opinions they form of the consequences of the present war, the Petitioners feel the most urgent solicitude, arising from convictions which are every day confirmed and increased, that the House should direct its attention to the revocation of those decrees, which, in imitation of an enemy's policy, have accomplished the object of that policy instead of their own, and which, by their continuance, present the main obstacle to the amicable adjustment of differences with America; they also submit, that the restrictions by which

the East India trade has been limited to an individual incorporation, in the metropolis of the kingdom, should be annihilated when the present period of its monopoly shall expire, and that, on the principles of liberal economy, the advantages of that trade should be enjoyed without exclusion or limitation; but they especially entreat that measures towards the pacification of Europe may become the subjects of the immediate deliberation of the House, who will thus obtain a truly dignified elevation in being the first to sheathe the sword when no object of utility can be effected, when war can be no longer subservient to that which is its only legitimate object, the security of peace; the House will thus obtain at least a temporary cessation to the miseries and distractions of a bleeding world, they will excite afresh the powerful energies of a commercial people, they will furnish employment and subsistence to an immense population at home, they will give stability and consolidation to our colonial dependencies abroad, they will raise the tone of national character in the estimation of surrounding countries, and connect the remembrance of our pacific achievements with the gratitude and attachment of millions for whose weal they legislate, and whose prosperity is inseparably combined with our own; the Petitioners are aware that an appeal to the feelings of sensibility, or the power of imagination, would be incongruous, but they humbly solicit the attention of the House to higher and more definite principles; and that before the evils which now press so severely on the various classes of society are extended and multiplied beyond the possibility of endurance, the Petitioners beseech the House to investigate their causes, to ascertain the effectual means of counteraction, and, from motives of policy, patriotism, and justice, to administer the appropriate remedies."

Ordered to lie upon the table.

LONDON THEATRE BILL.] On the order of the day for the second reading of the Bill for erecting and maintaining a new Theatre for Dramatic Entertainments, within the Cities of London and Westminster, or liberties thereof,

Mr. *Whibread* requested that the noble lord who had the conduct of the measure, would put off the second reading until Monday, in order to give an opportunity for a right hon. friend of his (Mr. Sheri-

dan) who was indisposed, to be present at the discussion.

Lord Ossulston replied, that he did not feel authorised to postpone the second reading of the Bill, and must therefore move that the Bill be now read a second time.

Mr. Peter Moore rose to give his decided negative to the motion. He was fully prepared to say, that no adequate ground whatever had been laid for the proposition now submitted. It had been said, that the population was greatly increased, but it could be proved that the enlargement of the theatres had more than corresponded with the real increase in the number of play-going people. An account of the receipts and disbursements would even shew that this number of late had diminished, while on the contrary the expenses of representation had greatly augmented. But there were other objections to the Bill, inasmuch as it went to supersede the royal prerogative of granting licences for dramatic exhibition. The patents now existing had been granted for national purposes, and ought to be defended against the encroachments of those who, on the plea of an increased population, were only seeking their own private advantage. He concluded by moving, That the Bill be read a second time that day six months.

Lord Ossulston supported the Bill in a speech of considerable length, but in a tone of voice altogether inaudible.

Sir T. Turtton opposed the Bill, as ill-timed, when Drury-lane was rising like a phoenix from its ashes. The delay mentioned in the amendment, could not go the length of rejecting totally the principle of the Bill, but would give the House time to see, whether or no the public would be well accommodated at Drury-lane; and in case that establishment did not answer the expectations which had been formed, then he firmly believed, that the Bill would not want support. He had no objection to new speculations in theatres, or any thing else; but, it should be recollected, that the framers of the Bill had grounded their first application on the improbability of Drury-lane being ever rebuilt, but now the progress in the reconstruction had surpassed the most sanguine expectations. He should, in consequence, vote for the amendment.

Mr. Holme Sumner maintained that the inhabitants of this vast metropolis had a right to be amply provided with rational

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amusements, which was not, nor could not be the case under the present system of monopoly. Indeed, the present monopolists had completely over-shot their mark in their anxiety to accommodate the greatest possible number of spectators. They had built play-houses, in which a great many could see, but no one could hear. The consequence was, that we could no longer enjoy those admirable performances which had been the delight of our ancestors, and were favourable to morals. Instead of them we had dogs, elephants and horses introduced on the stage, to the disgust of every rational man. Another objection to theatrical monopoly was, want of encouragement for meritorious performers. Now for instance, that Covent-garden was the only national theatre, no man, whatever might be his merit, could expect to be admitted into the company, if the line of his profession interfered with the parts allotted to Mr. Kemble, and in that case country theatres were his only resources: on these grounds he would give his hearty assent to the Bill, or to any Bill for increasing the number of places of rational amusements, which he considered as conducive to good morals.

Mr. Whibread was sorry that the noble lord could not consent to put off his motion, during the indisposition of his right hon friend, who was so much interested in the question. He owned that he was, as he had been represented by the noble lord, a most zealous promoter of the re-building of Drury-lane, solely through motives of friendship, and of course he might be naturally expected to oppose the present Bill. In the arduous task he had thus undertaken, he had, however, received some encouragement from the speech of the hon. gentleman who spoke last, and provided Drury-lane could be built in the commodious way recommended by the hon. gentleman, and which he hoped should be the case, he trusted that the hon. gentleman would recommend him some of those excellent tragedians, which, according to him, were so easy to be found, and which he probably kept behind the curtain until proper encouragement should be offered. The hon. gentleman had complained, that in many parts of the town, people were too far from the theatre. This objection might be pushed a great way indeed, perhaps as far as to furnish a theatre to each particular individual. Three years ago the House was petitioned for a third theatre, the petitions were then

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referred to the crown, and their claims, after being considered by the Privy Council, were rejected. Last year the petitioners came again to the House, on the pretext that there was little or no chance of the restoration of Drury-lane theatre. If they would agree to wait another session, should that theatre be not then completed and open, he certainly would waive all his objections to this Bill, and vote neither the one way or the other. If this Bill should now pass, though it might not prevent, yet it would probably seem to retard the full restoration of the old theatre. It would tend to shake the confidence of the public, and renew the difficulties from which they had been recently extricated. They had already advanced a great way, and there were but very few outstanding claims which were not in a train of being satisfied. His noble friend had, he was sorry to say, refused to give the very short delay of postponing his motion till Monday next, when he might expect the attendance of a right hon. gentleman peculiarly interested in the question. He had not, however, to complain of any gentlemen within those walls, but he had to quarrel with those who had circulated gross misrepresentations without, affecting to know that of which they were quite ignorant, and perverting what they did know. If the persons who were now speculating in a third theatre should succeed in their application, he had no doubt they would zealously oppose a fourth, and talk of the violation of that property which had been embarked under the sanction of parliament. With respect to what had been said, as to a redundancy of population, he presumed it would not be said that the theatres were not large enough to receive the inhabitants of those parts to which they lay contiguous. But the terms of the Bill implied the whole extent of London and Westminster. Were they sure that the city of London would permit the erection within their precincts, or was it purposed to build it in the parish of Marybone. He apprehended that neither was the case, and that if built at all, this third theatre would be built in some situation not far removed from the scite of the old ones. The hon. gentleman who preceded him, had cast an imputation on Mr. Kemble, which was altogether undeserved. He believed that he had never been guilty of suppressing any talents, distinguished as his own were among the first that had ever adorned his profession.

With respect to the introduction of horses and elephants, was it not notorious, that the taste of the people must be followed sometimes as well as guided? Were not the same complaints and censures made in the Augustan æra itself, and did we not find Horace satirizing the introduction of the very animal lately exhibited. 'Sive *Elephas albas vulgi converteret ora.*' The greatest actor that ever lived, Mr. Garrick, had resorted to the same expedients, and it ought not to be forgotten that Mr. Kemble had done much for the stage in reviving many of our best dramas, and particularly those of Shakespeare, in a style of unusual taste and splendour. As an example he might advert to a play now acting, in which he himself performed the principal character with an excellence which, if equalled, had never been surpassed. It had been said that young candidates for dramatic honours were not fairly treated. He was disposed to think that if no monopoly existed, and no limit to the increase of theatres, the ambition or vanity natural to new performers would lead them all to assume principal characters, and that we should have as many Hamlets as we could desire at 4*l.* a week instead of 20*l.* The consequence must be, that we should have many bad actors and not one good play. Under all these considerations, he should support the motion for deferring the Bill to this day six months.

Mr. Broune supported the Bill, and thought that those interested in Drury-lane theatre opposed this application with a very bad grace, when it was considered how much parliament had done for them, to get them out of their embarrassments. Their monopoly alone would not have enabled them to re-build their theatre, if it had not been for the assistance of parliament.

The House then divided on the amendment, for postponing the second reading to this day six months, which was carried by a majority of 58 to 35.

PRINCE REGENT'S MESSAGE RESPECTING A PROVISION FOR THE PRINCESSES.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"George P. R.

"His royal highness the Prince Regent, in the name and on the behalf of his Majesty, thinks it necessary to acquaint the House of Commons, that in

purruance of the powers vested in his Majesty, by two acts passed in the 18th and 39th years of his present Majesty's reign, his Majesty was graciously pleased, by letters patent, bearing date the 2d of February 1802, to grant to their royal highnesses the princesses Augusta-Sophia, Elizabeth, Mary, Sophia, and Amelia, an annuity of 30,000*l.* agreeably to the provisions and subject to the limitations of the said acts, which grant was to take effect from the demise of his Majesty; and his Royal Highness being desirous, in the present situation of the royal family, to be empowered to provide for the establishment of their royal highnesses the Princesses, by an immediate grant, recommends to the House of Commons, to take the subject into their consideration, and to enable his Royal Highness to make such provision for their royal highnesses the Princesses, as in the liberality of parliament may be thought suitable to the actual situation of the Princesses, and to the circumstances of the present time.

"G. P. R."

Ordered to be taken into consideration on Monday.

PENITENTIARY HOUSE BILL.] On the motion for going into a Committee on this Bill,

Mr. Kewrick moved an instruction to the Committee, that provision should be made, that persons convicted of felony, without benefit of clergy, should be kept to hard labour.

Mr. Holford rose, in consequence of information he had received, that it was intended to oppose the principle of the Bill. He entered into a minute examination of the plan of *Mr. Bentham*, which, he contended, was wholly inadequate to the object; and he drew a comparison between it and the scheme he had the honour of proposing to the House this session. He dwelt particularly on the benefits likely to result from the management being placed in the hands of a committee, instead of an individual controulable only by the court of King's-bench.

Sir S. Romilly lamented that the subject should be discussed in so thin a House. One of his principal objections to the plan now suggested had been removed, namely, that the institution was calculated to receive so few offenders. Still, however, the objects to which it was to apply were too much restricted, as criminals convicted in London and Middlesex were only to be

received. He admitted that the management being left to a committee was preferable, but still the public ought to possess a full right of inspection and controul. He would not now enter fully into *Mr. Bentham's* plan, but it was to be remembered, that lightly as it had been spoken of, it had on mature deliberation been approved of by *Mr. Pitt* and by *lord Melville*. He had only recommended the plan of *Mr. Bentham* to the consideration of the House on account of the advantages it had over other plans of a similar nature, on account of its superior economy, and the prospect it held out of furnishing the convicts with employment when the term of their imprisonment expired. In support of the utility of prisons being subjected to public inspection, he referred to a recent work of *Mr. Neild's*, which disclosed practices on the part of gaolers and others, that could not take place if the public eye had been upon them; for he believed in every case, that there were no inspectors or guardians so good as the public themselves. With regard to the erection of Penitentiary Houses, he believed he might advert to the warm and zealous support with which such a plan had been maintained by *Mr. Pitt* and *Mr. Dundas*; at least if he was wrong, he saw a right hon. gentleman in his place who could set him right. He wished that the Bill might not be committed that evening, on account of the thinness of the House, and that members might have an opportunity of fully possessing themselves of its object; and he should therefore move as an amendment, that the House should go into a Committee upon it on Wednesday the 15th of April.

Mr. Long observed, in reply to the reference of his hon. and learned friend, that certainly no person was more anxious than *Mr. Pitt*, that some plan similar to that now proposed, should be adopted. *Mr. Dundas* was also of the same opinion, but he was not prepared to say that they were particularly attached to *Mr. Bentham's* plan, (which though it had many good parts, and contained much that might be adopted) it was impossible any person could wholly approve, who had attentively examined it.

Mr. Abercromby spoke in favour of *Mr. Bentham's* plan, though he had never recommended its unqualified adoption. He would vote with his hon. and learned friend against proceeding farther that night, and hoped he would take the sense of the House on the subject.

Mr. Secretary *Ryder* stated his objections to various parts of Mr. Bentham's plan. He strongly opposed the amendment, on account of the delay it would occasion. He was desirous of making the plan as perfect as possible; but he could see no advantage likely to result from postponing the Committee on the Bill, as he conceived the thinness of the House was to be in a great measure ascribed to a feeling on the part of the members absent, that to attend on this occasion was unnecessary.

Mr. *Wilberforce* gave his testimony to the value of Mr. Bentham's plan, not indeed without amendments, which it had ever courted, and could not, therefore, be considered as pretending to perfection. He particularly eulogised that part of it which provided for the restoration of the criminal to society in a manner which would not, as it were, compel him to a renewal of his vicious courses. He trusted this system would put an end to transportation, except for life, to those whom it was expedient to banish altogether from their countrymen.

Mr. *Bathurst* was against any further postponement. It had appeared, from the report of the Committee, that the situation of the felons in the several gaols of the metropolis called for the most prompt attention. He objected to the plan of making the prisoners a public spectacle, which, in his opinion, had a tendency to defeat the main object, namely, that of affording them every opportunity of solitary reflection upon the nature of their offences, and the justice of their punishment.

Mr. *C. Adams* supported the amendment, on the ground of the absence of many hon. and legal members on the assizes, whose opinions it would be satisfactory to receive on this question.

Mr. *W. Smith* saw no inconvenience in putting it off for so short a period as that proposed by his hon. and learned friend.

The House divided on the amendment.

For the Amendment 18

Against it 35

Majority —17

The House then resolved itself into a Committee, in which the various clauses of the Bill underwent a discussion.

The House having resumed, the report was ordered to be received on Monday.

ADMIRALTY REGISTRAR'S BILL.] Mr. *Henry Martin* rose, agreeably to the notice which he had repeatedly renewed, to

move for leave to bring in two Bills for regulating the Offices of Registrar of the High Court of Admiralty and of Remembrancer of the Court of Exchequer. As he understood that his motion for leave to bring in these Bills was not to be opposed, he should state nothing farther as to the necessity of them at present. His object was to assimilate the Offices of Registrar of the Court of Admiralty, and deputy Remembrancer of Exchequer, as far as the custody of the money belonging to suitors in those courts was concerned, to the Office of Receiver-General in the Court of Chancery. He accordingly moved for leave to bring in a Bill to regulate the Office of Registrar of the High Court of Admiralty, as far as concerned the custody of the money of suitors in that Court; also, for leave to bring in a Bill to regulate the Office of Deputy Remembrancer of Exchequer, in as far as concerned the custody of the money belonging to suitors in that Court.

The *Chancellor of the Exchequer* said, he had no wish to oppose the motion of his hon. and learned friend for leave to bring in the Bills. He should mark the progress of the Bills, however, through the House, and should take an opportunity of proposing clauses granting compensations to the persons who were at present in possession of the offices referred to, without which he could not consent to the Bills now proposed passing into a law.

Mr. *Martin* said, he should be prepared to meet the right hon. gentleman on this subject, whenever the proper stage for doing so should arise.

Leave was accordingly given to bring in the said Bills.

HOUSE OF LORDS.

Monday, March 23.

PROVISION FOR THE PRINCESSES.] The order of the day for taking into consideration the Prince Regent's Message on the above subject being read:

The Earl of *Liverpool* rose for the purpose of moving an Address to his Royal Highness, on the occasion. He observed, that in a case such as that before their lordships, he felt it would be unnecessary to call their attention but very generally to it. He felt confident it must be the intention of parliament to enable his Royal Highness to make a due and suitable provision for the illustrious personages adverted to in the Message. The more so

when the present peculiar situation of those illustrious ladies, and their exemplary conduct upon every occasion, were considered by parliament and by the country. Under all the circumstances of the case, he felt assured there must exist an anxious desire that such a provision should be made for them as was deemed suitable and adequate for the occasion. The Address, which he should move for the concurrence of their lordships, would not go to pledge the House to any specific grant; yet he was aware it might be desirable on this occasion, that he should, for the information of noble lords, state the nature of the grant which it was proposed to bring under the consideration of parliament. Their lordships were aware, from the communication of his Royal Highness, that as the law now stood, the sum of 30,000*l.* per annum was appropriated for the purpose in question, but this was not to take place until the demise of his Majesty. From the circumstances of the case, a new arrangement and farther provision became necessary. What it was proposed now to do would take place immediately, and in addition to the sum he had mentioned. According to the pending arrangement, that sum divided between the four Princesses would yield an annuity of between 7 and 8,000*l.* to each, and in case of a reduction in the number of those illustrious personages to be provided for, that income would be so divided, that if three remained, each Princess would have 10,000*l.* a year; and the same sum to each, if reduced to two; but in case only one should remain, then the annuity to such remaining princess would be only 12,000*l.* It was now proposed, forthwith, to increase this pending annuity of between seven and 8,000*l.* to 9,000*l.* a year each, subject still to the advantages of survivorship, by extending it to the sum of 10,000*l.* in case of reduction to three or to two; but in case one only should remain, then the annuity not to exceed 12,000*l.* The operation of the measure would be to render the pending arrangement immediate, and to increase the respective amounts from between 7 and 8,000*l.* per annum to 9,000*l.* This was the general outline of what was proposed. And as it was not competent to that House to originate a measure of the kind, the Address he should move would be of a general nature, not pledging the House to any specific sum. The noble Secretary concluded by moving an Address to that effect, and assuring his Royal

Highness of the cheerful concurrence of their lordships in measures to enable him to make the desired provision.

Earl Grosvenor certainly did not mean to oppose the grant. He only wished to know out of what fund it was to be paid.

The Earl of Liverpool answered, that it was to be paid out of the Consolidated Fund.

The Earl of Essex expressed his wish to be informed, whether in the Bill which it was intended to introduce on the occasion, it was proposed to make any arrangement with respect to the provision of her royal highness the Princess of Wales?

The Earl of Liverpool observed, that he had received no commands from his Royal Highness on the occasion, and that the Message before their lordships had merely reference to the establishment of their royal highnesses the Princesses.

The question was then put, and the Address agreed to *nem. dis.*

MR. CHINNERY'S DEFALCATION.] Earl Grosvenor rose to request, that the noble Secretary would give the House some information relative to the failure of the First Clerk of the Treasury: and it would depend upon the answer he should receive, whether he should, at some other time, make a motion on the subject. The affair was one of the very first importance. The defalcation, at the very lowest statement of it, was not less than 70,000*l.* He should not, perhaps, have called their lordships' attention to the matter in this way, had this been an unique case; but when they saw the same frauds taking place on other occasions, in the Ordnance Department, and elsewhere, it was not a subject to be passed over lightly. These frauds had now extended to the Treasury itself, which ought to be particularly vigilant against all frauds of this kind. Still, however, he might not have thought it necessary to mention the subject in this manner, had it not been that this person had been long living in habits of extravagance, so that people were surprised how a person in his situation should have been able to expend such large sums in buildings, and other projects. This, therefore, was not a common case, in which a default might have taken place without exciting any previous suspicion. Here the suspicions of the Treasury ought to have been roused, and then much of the money might have been saved. The person in question had been a protégé of a right

hon. gentleman, now Vice-President of the Board of Trade (Mr. Rose) whose eyes, it might be imagined, should have been open to his proceedings.

The Earl of *Liverpool* observed, that their lordships must be sure he could not regularly afford any information on the subject. The transaction referred to was one between the Lords of the Treasury and one of the Clerks of that department; the proceedings were of some notoriety, and by the extent that was issued, a considerable sum had been obtained. It was undoubtedly competent to the noble earl to bring forward a motion on the subject if he thought proper; and it would be for the House to consider how far such motion could be entertained.

ORDERS IN COUNCIL.] Earl *Fitzwilliam* addressed a few observations to the House with reference to this subject. He said he should have several petitions to present from manufacturers and other commercial persons, complaining of the injurious and destructive consequences resulting to their interests from the Orders in Council: and that, when these petitions should be before the House, he should feel it incumbent on him, to come forward with a motion for the repeal of so injurious a system.

EAST INDIA COMPANY'S CHARTER.] Earl *Grey* observed, that under the circumstances of the case, he felt that the attention of parliament should be speedily directed to another topic of the highest importance. He meant the affairs of India, and the approaching expiration of the Company's charter. In this view he had to express his surprise, that not a single document had yet been laid on the table by ministers. What he principally rose for was to ask whether they meant to bring on this great and important subject in the remaining part of the present session; and to know their opinion whether, during the remainder of the session, there would be adequate time for the due consideration of so extensive and important a question.

Lord *Melville* stated, that it certainly was intended to bring forward the subject adverted to, in the present session of parliament. He had also to state, that a discussion was going on between the Court of Directors and government on the subject; and he had little doubt but soon after the recess it would be produced. With respect to what the noble earl had stated as to the time the remainder of the session

would afford, it was highly probable that full as much time would be allowed for the discussion as was allowed on the last occasion the subject was under the consideration of parliament. It was at that time the latter end of April when it was brought forward. Their lordships would recollect that a committee of the other House had the subject long under their consideration; and he was confident that noble lords would be amply and satisfactorily informed on the subject.

The Earl of *Lauderdale* concurred in the opinion of his noble friend, that the subject ought to have been brought under the consideration of parliament at an earlier period. The noble viscount said, that as much time as possible would be allowed for the consideration of the subject, but there was not the least resemblance between the case, as it at this time presented itself, and as it then stood. At that time they were to believe that the East India trade could be only carried on through a very extensive capital, and preferably, by a joint stock company. Now it was carried on by a company who avowedly had no capital at all. He was afraid there was no resemblance between the cases. A negotiation, it was said, was carrying on between government and the company, but he would ask, were the government and the company the only parties? Were not the distressed manufacturing and commercial interests of the country to be consulted and attended to?

Lord *Melville* said, he should not be provoked by any thing which had fallen from the noble earl to enter into a premature discussion of topics not regularly before the House. When the subject should be before the public and parliament, he would answer, and he trusted successfully, the arguments of the noble earl.

HOUSE OF COMMONS.

Monday, March 23.

PETITION FROM PRESTON RESPECTING PEACE, PARLIAMENTARY REFORM, &c.] Lord Stanley presented a Petition from several inhabitants of the town and neighbourhood of Preston, in the county of Lancaster, setting forth,

"That the major part of the Petitioners are actually suffering, and all of them are compelled to see many thousands of their fellow-townsmen and neighbours suffer great hardships, for want of the commonest necessaries of life, which it is not in their

power, by all the exertions they can use, to procure for themselves and families, as the House will readily believe, when the Petitioners assure them (as indeed was proved before a Committee of the House in the last session of parliament,) that the wages of a respectable body of artisans resident in that once flourishing town and the neighbourhood are less by more than one half of what they were previously to the war with France, which began in the year 1793, whilst the price of every necessary article of subsistence has risen since that time in more than a twofold proportion; and that, in the humble judgment of the Petitioners, these and like distresses, to which most of them, as well as a large portion of their beloved countrymen, are at this time subjected, are attributable, as an immediate cause to the war in which the country is at present engaged; the Petitioners, therefore, are most anxious that if there exist any possibility of obtaining a peace, consistently with our honour and security, negotiations may be immediately entered into for the attainment of this desirable object; this anxiety, however, they beg to assure the House, is not created in them by any dread of the enemy; but being unacquainted with any desirable object, to the attainment of which a prosecution of the war will be conducive, they are desirous that no opportunity may be omitted of entering into negotiations for the restoration of the blessings of peace and amity; and that in the humble opinion of the Petitioners, the primary and principal causes of the evils they have enumerated, and of many others which they are unwilling to trouble the House with a recital of, are to be found in the admitting into the House of persons sent from old and decayed boroughs, who are, in most cases, returned at the instigation of ministers of the crown, or peers of the realm, contrary to the express tenor of our laws and constitution; and in the admittance also into the House of many minor placemen and pensioners, who have an interest different, and, in most cases, in opposition to the great body of the Commons of the United Kingdom, whom they ought to represent; and praying, that the House will, in its great wisdom, recommend to his royal highness the Prince Regent, that all possible means may be adopted, consistently with the national honour and security, of restoring to his Majesty's faithful subjects the blessings of peace; and likewise the Petitioners most

humbly pray that the House will, as early as possible, take into their consideration the present state of the representation of the Commons in parliament; and they have full confidence that the House will readily discover a means of reforming the many abuses which the Petitioners cannot doubt the House is well aware exist in this particular."

Ordered to lie upon the table.

BREACH OF PRIVILEGE—COMPLAINT RESPECTING A WITNESS BEING ARRESTED.] Mr. *Eden* made a complaint against a person of the name of Hindson, an officer of the sheriff of Surrey, for having arrested a person of the name of Campbell, who was on his way to be examined before a Committee of that House. The hon. member stated, that he was chairman of the committee appointed to enquire into the state and condition of the transports. It being necessary to examine Mr. Campbell, he on Friday issued his precept, requiring his attendance, and that person was in obedience to that precept, on his way to the committee room, when he was arrested by Hindson, Campbell shewed the officer the precept, but the latter disregarded the order and carried him to a place of confinement, where he now remained. In such case, the hon. member observed, he should follow the practice which was adopted on similar occasions, and which was also recognised by the judges of the courts below, who always protected witnesses in going and coming to their courts, and move, "That Richard Hindson, officer of the sheriff of Surrey, and Mr. Campbell, do attend this House to-morrow."—On the question being put,

Mr. *Lockhart* apprehended that there was no necessity to order the attendance of Mr. Campbell, as the mere statement of the matter of privilege to the House, would be sufficient to induce the officer to discharge him out of custody; therefore all that was necessary to be done was, to order the officer to attend to answer the complaint.

The *Speaker* observed, that the course of proceeding was so clear, that it was unnecessary for him to interpose his opinion before putting the question. The course proposed by the hon. mover was the ordinary parliamentary course, namely, to require the attendance of the two parties before the House—the one to state the cause and manner of his arrest, and the other to give such answer to the charge as

might to him seem proper for having committed an extraordinary insult and outrage on the privilege of parliament.

The Order for the attendance of Hindson and Mr. Campbell was then made out.

PETITION FROM THE MERCHANTS, &c. OF LIVERPOOL RESPECTING THE EAST INDIA COMPANY'S CHARTER.] General Tarleton presented a Petition from the merchants, ship owners, tradesmen, and other inhabitants of the town of Liverpool,

"That the Petitioners humbly beg leave to represent to the House, that by various charters granted from time to time to the East India Company, the Petitioners have for a long series of years been restricted in carrying on trade, as well with the extensive possessions of the company in the East Indies, as with the whole of the islands and territories in Africa and Asia, from the Cape of Good Hope to the straits of Magellan, and have thus, as the Petitioners humbly conceive, not only been prevented from exerting their mercantile skill and industry, and employing their capital in a manner the most advantageous to their country and to themselves, but have been deprived of those privileges which they humbly presume are the common birth-right of all his Majesty's subjects, the right of carrying on a free trade to all parts of the British empire and other countries in amity with the United Kingdom, subject only to such general regulations of trade as the policy of this country may require, or as may be necessary for maintaining the relations of these realms with foreign states, and securing to government those revenues which may be requisite for its support; and that the Petitioners further beg leave humbly to state to the House, that they cannot but regard all monopolies which prohibit the general body of the people from carrying on trade with any other country, and in particular the monopoly of the East India Company, as highly injurious to the general interests of this country at large, and as greatly discouraging that commercial spirit, which, from the nature and local situation of these islands, is indispensable to their prosperity, and upon which their security at this moment essentially depends: and that the Petitioners having therefore assembled together in a general meeting, have resolved to appeal for a redress of this their grievance to the House, in the humble, but confident hope, that they will consider the protection of the equal rights of his

Majesty's subjects to a free trade, and the extension of an honourable, just and legitimate commerce, as amongst the first and most important objects of legislative regulation; and praying, that the House will be pleased to take this subject into their most serious consideration, and that they will, at the earliest opportunity, adopt such measures for abolishing the commercial monopoly of the East India Company, as to the wisdom and justice of parliament may seem most expedient."

On the motion that the Petition be brought up,

Mr. Creevey did not rise to oppose it. On the contrary, he should be glad to see it on the table. He merely rose to correct a misrepresentation of the hon. general's, with respect to the actual situation of the people of the town of Liverpool, and to maintain that the statement which he had originally made of their distresses, was perfectly correct. He had stated, and he now repeated it, that in the course of one month only, the number of poor had increased from 8,000 to 15,000 persons. So far from his account being overstated, he was, from subsequent information, more convinced than ever of his own correctness and of the decay of trade in that town. It was most extraordinary to him how any gentleman could wish to deceive the House, when it was evident that, as he had before said, the ships were dismasted, riggers and carpenters out of employ; and the general appearance of the town such as to satisfy any person of the distresses under which the inhabitants laboured. The absence of the American trade, which constituted one of the chief props of the town, had occasioned this decay, which was felt in Chester and Manchester; also, in the falling off of the exports of salt and goods of various descriptions. To shew the vast decrease in the trade, he had a document from the customs which stated the exports for the last two years for that town. In the year preceding the last, the amount was 2,676,000*l.* In the last year 1,770,000*l.* being a deficiency of about 900,000*l.* between the two years ending the 5th Jan. last. In addition to the distress occasioned by the absence of trade, there were distresses of another kind connected with the collection of the taxes. He understood that an attorney of the town, perhaps not the most eminent in his profession, finding business not coming in, had made application to the Chancellor of the Exchequer, and got converted into an

inspector of the district. In this new character he suggested to his right hon. friend, as his fellow townsmen would not employ him, that the revenue would be greatly improved by surcharging them on their assessments generally. The consequence of these surcharges was a general manifestation of discontent throughout the town, and an alarm among the collectors of taxes. The surveyor of the district finding he could not discharge the trust reposed in him faithfully under the new inspector, resigned his office, and others were about to follow, or had followed his example. This attorney perhaps had received his appointment in consequence of having been a client of the right hon. gentleman, at a period of his life when he followed the profession of the law, and therefore gratitude might have led to the appointment. At any rate, it was not to be endured that men should be induced by such appointments to become informers against their neighbours and fellow-townsmen.

Mr. Rose had no doubt, that Liverpool felt considerable distress in common with other commercial towns throughout the kingdom. But the statements of the hon. gentleman appeared to him extremely loose, founded mostly upon hearsay, and greatly exaggerated; for he had understood from unquestionable authority, that the persons reported to be receiving charity, were not receiving parochial aid, but merely that kind of assistance furnished by what was called a soup committee. He was also enabled to state, that three or four years ago, between 7 and 8,000 persons more than the number already mentioned, had received similar assistance. As to the number of ships for sale, he had been informed from good authority, that the whole number of ships lying unemployed in the harbour of Liverpool, did not exceed 24, and of these, some were just returned from their voyages, and others were under repair. Neither was the Salt trade entirely gone, as the hon. gentleman had asserted; and upon the whole the decay of commerce in Liverpool was less considerable than might be expected, considering that it was the great mart for the American trade.

General Tarleton said, that having received a representation from a number of his constituents, on the subject of the statement some time ago made by his hon. friend (Mr. Creevey), he had read it to the House, on a former night, though in his

hon. friend's absence, and he would refer to it again if it was the wish of the House, (a cry of read! read!) The hon. general then read this Report, which we understood to come from the corporation of Liverpool; the substance of which was to the following effect: That from the extensive docks constructing at Liverpool, a number of labourers had been invited from Ireland and Wales; but the funds for the construction of the works having fallen short, a number of them had been thrown out of employment, which gave rise to the establishment of a soup committee for their relief. The Committee had, however, since found that though such numbers had at first received this assistance, there were never more than between 3 and 4,000 who really wanted it. At present, the labourers on the docks had 3s. a day; and when some gentlemen wanted to employ some of the hands in country labour in the neighbourhood, they could hardly procure them. The report then went on to state, that there was scarcely a British ship out of employment in the port of Liverpool, nor a ship-carpenter out of employment who was worth it.

General Gascoyne conceived the best mode of judging of the state of the town, would be to take the medium between the two accounts; most certainly there had been a considerable diminution in the trade. It had been stated by his hon. friend, on a former occasion, that there were 56 ships unemployed: not one half of that number, however, were for sale. When it was recollected that three-fourths of the trade of Liverpool was to America, could it be thought extraordinary that there was a stagnation? He trusted that the inconvenience would be of a temporary nature only; the chief cause of the distress arose from the depression of the colonial trade.

Mr. Baring was not disposed to place much reliance on the statement read by the hon. general; for it was well known, that in all the petty corporate towns of the kingdom, the mayor and corporation were always eager, and mostly interested in supporting the measures of the minister of the day, and were ready to proclaim them as the best possible for the interests of the country. But he could not help remarking, the great injury that must result from misrepresentations of topics of this nature, and from statements of the flourishing state of our commerce, when the fact was notoriously the reverse. If

the right hon. gentleman opposite, by whom it was the misfortune of the country to be ruled, was really so weak as to believe the report of the mayor and aldermen of corporate towns, and to be guided by them in forming his opinions, there was really very little chance of any relief being afforded to the distressed commerce of the country. The American trade was essentially destroyed, and whether we had an equivalent, though it had been hinted that we had, was a question which he would not now discuss. As to the shipping interest in general, if the right hon. gentleman would not listen merely to interested people; who told him that his system was the wisest and best of systems, he would learn that the shipping trade was at present a losing concern, not only in Liverpool, but in London also. The House, however, had been led to expect, that an equivalent for the defalcation of so many branches of our commerce would be obtained, and a right hon. gentleman had hinted, that a great trade was likely to be opened with France, by means of licences. Now, the conditions on which these licences were to be granted, he understood to be these: that we were to import French laces, lawns, cambrics, linens, and jewellery in French ships, or at least in ships belonging to countries under the power of France; and in return for these goods we were merely to export colonial produce at the rate of 5*l.* per ton. So that for the purpose of relieving and encouraging our manufacturers, we were to introduce French laces, lawns, linens, &c. to enter into competition with our own articles of the same description. There was also this gross inequality, that by these licences the French would be enabled to export goods of the value of 3 or 4,000*l.* per ton, while we only exported to the value of 5*l.* in return. How could a trade of this sort be justified? And, indeed, when talking of it to some most strenuous supporters of ministers, they seemed completely staggered by the proposition. On the subject of the collection of taxes, he differed from his hon. friend (Mr. Creevey) and was rather disposed to give ministers credit for exacting them more equally in places where too great lenity had been previously shewn. It was the duty of the government to take care that the burthens of the country should be equally borne.

Mr. Rose, in explanation, denied that he stated that the shipping of Liverpool was in a prosperous state, nor had he said

that the shipping in the ports of London was so. The transports had increased from 19 to 23*s.* per ton. He believed he was correct in that statement; sure he was that the price of transports was considerably more than in former years. As to the trade with France, he had stated that he had reason to believe that some trade would be opened, but to what extent he could not tell, nor indeed was the subject a fit one to discuss now.

Mr. Baring. If the right hon. gentleman will enquire at the Transport Board, he will find himself mistaken as to the price of transport tonnage.

Mr. Rose replied, that he had enquired, and the hon. gentleman would find himself entirely mistaken in his statement.

The Chancellor of the Exchequer conceived the House would not think he acted correctly, were he to allow the observations of the hon. gentleman (Mr. Creevey) to pass unnoticed. The tone and manner of the hon. gentleman, when talking of the appointment of the District Inspector of Liverpool, must have impressed on the House an opinion that he felt most warmly for some old client, as the hon. gentleman was pleased to term this surveyor, to whom he (the Chancellor of the Exchequer) had owed a good turn for former favours, and therefore thought the best thing that could be done for old friendship was to get him to surcharge his fellow townsmen, for which purpose he had appointed him to a situation in which he might carry his object into effect. So the hon. gentleman wished the House to understand. It appeared from the statement of the hon. gentleman, that this old client and new protégé, so anxious to carry on his purpose, had under him a person of very delicate nerves, who, not being able to follow his superior officer in his duties, had thought proper to resign. Now, with respect to this attorney and client, he had no knowledge whatever, but he did recollect something of the gentleman under him of delicate nerves—the same, he supposed, from whom the hon. gentleman had collected his correct information—who had been called upon to account for some misconduct, and this call had so alarmed him, that he had thought it better to resign.—He did recollect that another person was appointed upon the recommendation of Mr. Lowndes, and that person, he imagined, was the old client spoken of, but of whom he had not the most distant recollection. Now, it would become the hon. gentleman,

before he roundly asserted any thing for fact, a little to suspect the accuracy of his informant, especially when that informant was a discarded surveyor. If he had made a bargain with an old client, as was insinuated, would not the hon. gentleman have acted more fairly, if he had made it the subject of a grave charge against him for an act, as unworthy a one as could be well imagined? With respect to surcharges generally, there was no intention of making any such agreement, and till the persons making surcharges were examined, it was the greatest assumption which the hon. gentleman could take upon himself to suppose they were wrong. Was it not right that persons assessed should pay their just proportion to the expence of the state; and therefore if they kept back, was it not equitable too, that they should be charged to the extent of their liability to pay? As to the general question now before the House, he would only add, that if it was injurious to deceive the country by false representations of the flourishing state of its commerce, it was equally injurious, amidst the great interests which were at stake, and the great exertions which were necessary to be made, to depress the spirits of the people by exaggerated statements of commercial distress.

Mr. Creevey denied, in explanation, that he had received his information from any discharged officer.

The *Chancellor of the Exchequer* would merely repeat, that the information was quite new to him, of any person having been appointed to surcharge his neighbours in Liverpool.

The Petition was then brought up and read. On the motion for its being laid on the table,

Mr. Baring repeated his wish that the right hon. gentleman opposite would take this opportunity of explaining the conditions of the proposed licences. He was also anxious to know whether the *Chancellor of the Exchequer* intended to bring forward this year any proposition on the subject of the *East India Company's Charter*.

Mr. Rose declined introducing a subject so extraneous to the present petition, but was ready to meet any discussion upon it that the hon. gentleman might propose.

The *Chancellor of the Exchequer*, in reply to the question of the right hon. gentleman, wished to give notice, that shortly after the recess he should bring forward a

proposition on the subject of the trade with India.

The Petition was then ordered to lie upon the table.

PETITION FROM THE CORPORATION OF LIVERPOOL RESPECTING THE EAST INDIA COMPANY'S CHARTER.] General Tarleton then presented a Petition from the mayor, bailiffs and burgesses of the town of Liverpool, in common council assembled, setting forth,

" That the Petitioners conceive that the subjects of these realms possess an inherent right to a free intercourse of trade with all other nations and countries in amity with this, subject only to such regulations as may be necessary for preserving a good understanding with those countries, and for securing to our own the revenues derivable from such intercourse; and that the monopoly of the *East India Company*, however expedient or necessary at the period of their first charter, is, as the Petitioners humbly conceive, in the present state of commerce and of the world, no longer so; and it is, moreover, inconsistent with those principles which are universally admitted to be essential to the prosperity of commerce; and that every other nation of Europe being, by the signal success of his Majesty's arms, deprived of all territory and influence in the *East Indies*, as well as of all means of annoyance to the navigation of those seas, an ample field is now open for the exertion of British skill and enterprize, and for the investment of that capital, which is rendered in a great measure useless, in those channels of trade where it has been heretofore employed; and that the Petitioners, as the guardians of the interests of the town of Liverpool, while they lament the distressing suspension of its commerce at this juncture, cannot but indulge a sanguine hope that the era is arrived which presents to the merchants and traders of Liverpool, in common with those of every part of the British empire, new and brighter prospects, in the participation of a traffic from which they have been hitherto excluded; and that the Petitioners disclaim any wish to interfere with the rights of the *East India Company*, which they apprehend may be maintained inviolate, without the continuation of a system that infringes the privileges of others; and the Petitioners therefore, reposing with entire confidence in the wisdom and justice of the House,

humbly entreat that they will be pleased to adopt such measures as may secure to the merchants of the port of Liverpool the advantages of a free trade beyond the Cape of Good Hope."

Ordered to lie upon the table.

PETITION OF THE TRUSTEES OF THE LIVERPOOL DOCKS RESPECTING THE EAST INDIA COMPANY'S CHARTER.] General Tarleton also presented a Petition from the Trustees of the Liverpool Docks, setting forth,

"That the port of Liverpool has, in the course of little more than a century, from its peculiar local advantages, and by the enterprising spirit of its inhabitants, raised itself from the situation of a humble fishing town, to the distinguished rank and importance of the second port in the kingdom; and that the Petitioners, whose province it is to provide and maintain the requisite accommodation for the shipping resorting to that port, have at various times, under the authority of the legislature, and as the increase of the trade demanded, erected extensive docks, and other conveniences for the shipping interests of the town; and that, urged by the merchants at large, two years ago, when their trade was in great prosperity, the Petitioners sought for and obtained, during the last session of parliament, powers for the further improvement of the port; and that, in consideration not only of the existing want of accommodation in the docks for general purposes, but anticipating also the period when the rights of the merchants and traders of Liverpool, in common with all others his Majesty's subjects, to a free trade with the East Indies, would be recognized, the Petitioners have commenced various works, upon an extensive scale, calculated to meet the vast accession of trade which, as they humbly conceive, would be the result of such a system; and the Petitioners, therefore, anxious for the prosperity of the important trusts committed to them, and confiding in the justice of the House, most humbly intreat that they will adopt such measures as to their wisdom shall seem meet, for obtaining to the port of Liverpool, as well as the rest of the united kingdom, a participation of the trade with our Eastern possessions, hitherto solely enjoyed by the East India Company."

Ordered to lie upon the table.

MAYNOOTH COLLEGE.] Sir J. Newport

enquired if the right hon. gentleman the Secretary of State for the Home Department, would have any objection to produce the documents on which he founded his assertion, that persons educated at the college of Maynooth had employed undue means to make proselytes, particularly in the north of Ireland, to the Roman Catholic persuasion?

Mr. Secretary *Ryder* answered, that the expression he had employed in the debate upon this subject had been misunderstood and misrepresented. He had not stated, that he had any reason to believe that persons educated at Maynooth had employed any undue means to propagate their religion. He had no hesitation in repeating what he had said upon that occasion, which was, that he wished the institution had never existed, as it had afforded the means of spreading Catholicism in districts where the Protestant faith had before been prevalent. On this account he had resisted the extension of the grant.

Sir J. *Newport* added, that he had taken down the words employed by the right hon. gentleman at the time, and they were, "that individuals educated at the college of Maynooth had made use of the facilities they there obtained to propagate by undue means the Catholic religion."

The *Speaker* observed, that it was contrary to order for any member to refer to expressions employed by any member on a former debate, as a ground for calling for documents to prove the veracity or falsity of the assertion.

Sir J. *Newport* then gave notice, that tomorrow he would move for any documents on which the right hon. gentleman had founded his assertion.

COLONEL M'MAHON'S APPOINTMENT.]

The Hon. J. W. *Ward* observed, that by the Gazette it appeared, that colonel M'Mahon had been appointed to the office of Keeper of the Privy Purse and Private Secretary to the Prince Regent. He wished to be informed by the right hon. gentleman opposite, what salary was attached to these places, and what were the duties belonging to them, as he was completely ignorant upon the subject, not knowing until now that any such situation as Private Secretary to the Regent existed?

The *Chancellor of the Exchequer* admitted the fact of the appointment. He presumed that the hon. member was not ignorant that colonel Taylor had held the same

situation under the King for many years, and the same salary that was given to that gentleman had been continued to colonel M'Mahon. Undoubtedly it was to be deemed a new office; and if the question were put to him with a view to ascertain whether it were his opinion that the nomination was such as to vacate colonel M'Mahon's seat in that House, he should answer that it was included in the act of parliament.

Mr. Ward remarked, that his object was to obtain information as to the duties of the office.

The *Chancellor of the Exchequer* said, that the duties were various and important, although the offices would carry with them no official sanction, as the Secretary of State for the Home Department would still continue to be the fit organ for receiving and communicating the pleasure of the Prince Regent.

Mr. Whitbread wished to know whether, before the nomination of colonel Taylor as private secretary to the King, any such place had existed? Under the infirmity of sight of his Majesty, no one could doubt of the necessity of such a confidential servant, but as little hesitation could be felt in conceding that no such officer would be required by the Regent. He was anxious likewise to learn (the place having been made a State Office by *The Gazette*.) whether the nomination of col. M'Mahon was to be paid out of the same fund as that from which col. Taylor derived his salary?

The *Chancellor of the Exchequer* observed, that the hon. member being in possession of all the facts, he could, if he thought fit, bring the matter formally under the consideration of the House. He admitted, that before the infirmity of the King no private secretary had been appointed; but from the great accumulation of public business, from various causes, those who expected that the person occupying the throne could fulfil all his functions without assistance, would look for impossibilities.

Mr. Ward inquired whether the *Chancellor of the Exchequer* would have any objection to mention who advised the appointment?

The *Chancellor of the Exchequer*. I have not the least difficulty in stating, that I advised it.

Mr. Wynn suggested the propriety of passing a special enactment, by which it should be provided that appointments under

the Regent should vacate seats in the House, as well as appointments under the King, to which the statute now applied.

The *Chancellor of the Exchequer* replied, that he thought the act, as it was now worded, would include both: if not, however, the defect could be remedied. He was not at all prepared to say that appointments to offices under the Regent, as duke of Cornwall, were, or whether they ought to be embraced by it.

Mr. Wynn remarked, that his question referred to appointments of lords of the bedchamber, &c. under the Prince Regent. In such cases the act might perhaps be evaded.

PRINCE REGENT'S MESSAGE RESPECTING THE PRINCESSES.] The *Chancellor of the Exchequer* moved the order of the day, for the House going into a Committee of Supply, to take into consideration the Message of the Prince Regent. On the motion, that the House do now resolve itself into the said Committee,

Mr. Crotchey objected to the Speaker's leaving the chair. He did not wish that the discussion should take place now, but that it should be deferred to some future day. No difference of opinion could exist as to the necessity of a suitable provision being made for the Princesses. But his first general ground of objection to the proposition now made, an objection which he had stated on a former occasion, was, that the charge would fall upon the consolidated fund, to which the public creditor looked for his security, and which, in the last year, had fallen far short of its amount in the year preceding. It appeared from the papers before the House, and now in his hand, that the revenue of the consolidated fund, up to the 5th of January last, had decreased in comparison of the year ending the 5th of January, 1811, to the amount of 3,500,000*l.* It could be shewn that the consolidated fund had decreased 1,000,000*l.* in the taxes which supplied it, while an additional charge of 1,500,000*l.* had been laid upon it. And although there was at this moment a surplus of this fund, might not the time come when there should be none? and to this period they were bound, in their calculations, to look. They ought, therefore, to do now what they had done in 1786 and 1793, in the government of lord Grenville and lord Harrowby, appoint a committee to enquire into the state of the taxes, their produce and application, be-

fore they laid a new charge on the consolidated fund. He wished to know how ministers had it in view to remedy this great falling off. They could only do it in one of three ways—by interfering with the securities of the stockholder—by laying on new taxes to make up the deficiency—or by touching the sinking fund. Into all these matters the House ought to enquire before they proceeded. The stock market was agitated by strong feelings of alarm and distrust, lest the stock holders should not in time receive their interest; and instead of adding yearly, and even monthly, to the charges upon the consolidated fund, which would soon be unable to bear them, the right hon. the Chancellor of the Exchequer would do much better if he increased its amount by the abolition of the places of two useless Tellers of the Exchequer, and the office of Registrar of the Court of Admiralty, now held by lord Arden. Why this provision for their Royal Highnesses had not been suggested at the time when the late arrangements for the Household were under consideration, he did not know, nor why the Regent, out of the 130,000*l.* which had been given to him, and for which there was no application, could not spare the sum of 36,000*l.* for his royal sisters, especially since the 58,000*l.* paid by the King out of the Civil List, to the Queen, was not required from the Regent. With the subject of the separation of the Prince and Princess of Wales, he (Mr. Creevey) on this occasion, had nothing to do, although it did strike him as a little extraordinary, that no additional sum had been given to the future queen of Great Britain, at the time her august spouse was invested with the regal dignity. There was now no court to create expence; for the Princess of Wales, who was the representative of the Queen, from her situation, being separated from her husband, was not in a condition to employ the wonted splendour and shew of royalty. Her Royal Highness had only 17,000*l.* a year, when the Queen's allowance was 58,000*l.* Here was at once a great saving, and there were also others, which rendered it very easy to provide for the Princesses, without laying an additional charge of 36,000*l.* a year on the people. He concluded by moving, as an amendment, to insert in the motion the words "this day month," instead of the word "now," for the purpose, in the mean time, of examining into the amount of, and charges upon, the consolidated fund.

Mr. Rose, with respect to what had fallen from the hon. gentleman respecting the securities of stockholders, had to observe, that by an act of the 47th of the King, it was provided, that if in any quarter the consolidated fund should be found unequal to the charges on it, the first supplies of the year were to be applied in aid of it, and this he conceived was sufficient to make the Stockholders easy about their securities.

The Chancellor of the Exchequer had to offer a very few words on what had fallen from the hon. gentleman opposite, who had again stated what was likely to produce a very improper effect upon the public mind, if permitted to go abroad uncontradicted. The hon. gentleman had stated, that a diminution in the consolidated fund had taken place equal to 3,500,000*l.* and that thus the source to which the public creditor looked for security, was decreased in a degree to alarm him for his safety. But so far from this being the case, the amount of the difference between the years ending January, 1811, and January, 1812, was only 1,269,000*l.* and the hon. gentleman came to his erroneous conclusions by comparing the surplusses, and taking the additional difference of the war taxes into his calculation, which was not a just mode of trying the question. Neither was it a fair thing to draw a comparison between the best year the country ever knew, in point of revenue, and the last year, when the country was labouring under very considerable pressure; and the new taxes, intended to make up the deficiency, had not had an opportunity of producing their effect, so as to come within the results of the year laid before the House. He hoped the House would, therefore, see no ground, from the statement of the hon. gentleman, to believe, that they needed to be under any apprehension, with respect to the security of the public creditors, in agreeing to the proposition for a provision to the Princesses, which would this night be made to them. If, as the hon. gentleman had seemed to wish, this subject had been considered at the time the Prince's household arrangements were made, the sum for which he should move in the committee must in justice have been added to what they had voted at that time; but it had been thought better to bring this subject forward by itself, and on that ground it was postponed. The hon. gentleman had seemed to think, the sum they were to be called upon for in the committee might have been easily spared out of the Civil

List. This might appear so to him, as he compared the 17,000*l.* given annually to the Princess of Wales, with the 58,000*l.* per ann. which had been given to the Queen by the King. The fact however was, that the same deductions were made from the Civil List in the hands of the Prince, as had been made from it when it was in the hands of the King, as her Majesty received her 58,000*l.* per ann. as formerly from the Civil List. The hon. gentleman was also mistaken in the sum which the Princess received, as he understood it to be 17,000*l.* including 3,000*l.* which she received as pin money, whereas she received 17,000*l.* exclusive of pin money. It had been augmented from 12,000*l.* to 17,000*l.* in consequence of its being thought necessary by the King to make a more ample provision for her than she had formerly enjoyed. In 1809, a representation was made to the duke of Portland, who then held the situation which he (the Chancellor of the Exchequer) now had the honour to occupy, that debts were due to various persons from the Princess of Wales, for which she had no means of providing. An investigation accordingly took place, and it was found that the debts amounted to 41,000*l.* Her income was at that time 12,000*l.* per annum, exclusive of 5,000*l.* pin money. The Prince, on that occasion, averse to any application being made to the public, took her debts upon himself, and at the same time conceiving that they might have been contracted in consequence of the insufficiency of her income to meet her expenses, he augmented it to 17,000*l.* It was found on a farther investigation of the business, that her Royal Highness's debts amounted to 8,000*l.* more, and this sum, in addition to the 41,000*l.* before mentioned, the Prince also took upon himself. On a still more minute investigation of the subject, it was found that there was yet a small fraction more of 2,000*l.* and this last sum it had been thought reasonable that her Royal Highness herself should pay out of her increased income. The Prince thus, to prevent the charge being thrown on the public, took 49,000*l.* on himself of the debts of the Princess, although his royal father would doubtless willingly have consented to disburse a sufficient sum out of the Droits of Admiralty. The hon. gentleman thought there was now a large disposable fund in the hands of the Prince. This was not the case; as so large a part of his income as 70,000*l.* had been given to a commission under the seal of the Duchy

of Lancaster, for the purpose of liquidating those debts which had before been under the consideration of that House. He strongly objected to postponing the committee.

Mr. *Whitbread* concurred with his hon. friend in the propriety of postponing the committee for at least a month, not because the deficiency of the consolidated fund was so large as to shake the security of the public creditor, but because the statements of gentlemen on both sides of the House, holding the very same papers in their hands, were so contradictory as to prove, that a similar investigation to that which had taken place under lords Grenville and Harrowby, should be instantly commenced. He for one had understood that the Princesses were to live with the Queen, and on this account it was, he conceived, that the addition of 10,000*l.* had been made to her Majesty's income. He had told the right hon. gentleman, that even after that he supposed some provision would be proposed for the Princesses; but he thought that if such a provision were to be made for them, there was no necessity for adding 10,000*l.* to the income of the Queen. Unless that 10,000*l.* were given for the maintenance of the Princesses, it was difficult to imagine why it was granted, and the act itself afforded no information. It turned out however now, that the salary of the Princess of Wales was not sufficient, but why an addition had not been made to it at the time, when for no reason on earth, 10,000*l.* per annum was voted to the Queen, and such immense, and almost unlimited grants were agreed to for the Prince, it was not easy to determine. His Royal Highness, however, took upon himself the discharge of the debts of his consort, but at a time when the Prince himself was deeply involved, from which embarrassments he was extricated out of the public purse in the most objectionable way that could be devised. It appeared to him to be one of the most complete juggles that was ever heard of, that a person should undertake to pay the debts of another to save the people that expence, while he came to get his own debts paid by that same people! The Prince undertook to pay the debts of the Princess of Wales, which he had no means of discharging, at a time when he was calling upon the public to enable him to pay his own. The House was told that a commission had been appointed to apply 70,000*l.* a year to discharge the debts of the Regent,

It was a commission created by, and might be absolved by the Prince, and there were no persons responsible—there were no advisers answerable for the due application of the enormous sum of 130,000*l.* which had been given as a privy purse without controul. The Prince Regent enjoyed a privy purse of 130,000*l.* which was much more than that of the King, which, at its utmost, amounted to only 60,000*l.* Were they not then to view, with equal jealousy, the application of this sum in the possession of the Prince, exercising the powers of royalty, as they were in the habit of viewing the uses made of a smaller sum by the King? Were they so little read in history as not to have heard of parliamentary influence? and were they not bound to guard against any chance of money granted to support the sovereign dignity, being applied to purposes unconstitutional and dangerous? He would like to hear from the right hon. gentleman if he was aware of the amount of the debts of the Prince Regent? if he knew the mode in which the money set apart was applied to their liquidation? or if he was answerable for the conduct of the commissioner to whom this office was intrusted? The creditors of his Royal Highness, by the mode now adopted, had no security at all for the settlement of their claims.—In his opinion the amount of these claims ought to be ascertained, the whole paid, and the grant of 70,000*l.* appropriated for that purpose, revoked.—This was the only way of doing justice to all parties, and guarding the creditors against any loss through the demise of the crown. On these considerations he had again to express his concurrence in the amendment that had been moved.

On this the motion was put and negatived without a division. The original question was then put and carried, and the House resolved itself into a committee accordingly.

The *Chancellor of the Exchequer* observed that the House must be aware in what situation their royal highnesses the Princesses stood, with regard to the former parliamentary grant. An act had been passed in the 18th and another in the 39th of his present Majesty, empowering him to make a grant (contingently in the event of his Majesty's demise) of 30,000*l.* as an annuity to the four Princesses living at the time the acts were passed. In the event of these annuitants falling to three, they were each of them to have 10,000*l.* a

year; if they fell to two, 20,000*l.* a year was to be divisible between them; and if to one, the survivor to have 12,000*l.* a year. This was the provision which parliament had enabled his Majesty to make for the Princesses in the event of his demise; but the melancholy circumstances which had taken place in the royal family, rendered it necessary that the House should take into its consideration the condition of those Princesses in the same way as if the actual demise of his Majesty had taken place. The House were aware in what situation their Royal Highnesses now stood, as forming part of the domestic establishment at Windsor; and he did not know, therefore, that any provision, immediately to take place, might be necessary; but he thought it of importance that they should be placed in a condition which would enable them to form their separate establishments if they wished it. It was his intention to propose, that to each of the four Princesses they should grant the sum of 9,000*l.* per annum, exclusive of the grant of 4,000*l.* each from the Civil List, which being during pleasure was not to be relied on as a certainty. He should therefore move for the sum of 36,000*l.* At the death of one of them he would propose, that the survivors should receive 10,000*l.* per annum each; at the death of a second, the two remaining to continue to receive 10,000*l.* each; and on the death of a third, the sole survivor to receive 12,000*l.* per ann. This arrangement, the difference in the times considered, he did not think would appear to the House as proposing an unreasonable advance on the sum originally named as a provision for the Princesses. He had no reason to suppose the Princesses would wish to remove from the establishment on which they were at present, but if they did not choose to remain there the whole year round, he thought it was unreasonable at the period of life to which they had attained, that they should not be allowed the means of forming an establishment of their own, or of changing their residence at any period of the year for their health, convenience, or pleasure. He concluded by moving, "That it is the opinion of this committee that an annuity of 36,000*l.* be granted to the King, to enable him to make a provision for the Princesses Augusta, Sophia, Elizabeth and Mary, instead of the annuity of 30,000*l.* formerly granted, to be payable out of the consolidated fund of Great Britain, and that it do supersede the former grants made in

the 18th and 39th of his present Majesty."

Mr. Tierney presumed that the right hon. gentleman, in proposing to give 9,000*l.* a year to the Princesses, assumed as a fact that his Majesty was defunct with regard to them. His proposition, therefore was, that to the 7,500*l.* a year, to which they were entitled under the former act, 1,500*l.* more should be added; and in addition to this annuity, which they were now called on to vote, their Royal Highnesses received 4,000*l.* a year each from the Civil List, during the pleasure of the Prince Regent, making their whole annual income 13,000*l.* This sum, great as it was, he by no means considered as too great for the separate establishment of each; but it appeared by the act of 1799, that it was in the contemplation of parliament that the Princesses would live together, and why any gentleman should suppose, or take it for granted, that they would desire separate establishments, affectionately forming one family as they did at present, he could not conceive. In that point of view, then, presuming that their Royal Highnesses would not form separate establishments, he thought the sum too great. But there was another consideration which struck him as very important. Would there be any saving to the Civil List by this grant? At present there was a charge in the lord steward's department for table, attendants, dresses, &c. for the Princesses: was that to be continued? If it was, then a sum would be given to their Royal Highnesses which they did not want. His greatest objection to the present vote, however, was what he had stated on a former occasion, and which now no longer appeared a chimerical one. He alluded to the detached and piecemeal way in which the several additions to the Civil List had been made: first 10,000*l.* then 20,000*l.* and so on, without the House ever knowing precisely what it was about. The general increase upon the Civil List expenditure had been very great. Before they came to a determination, they ought, therefore, to examine thoroughly into the Civil List, and form a comprehensive estimate of their revenue, and of the expences of that List, and of the royal family. Gentlemen were not, perhaps, aware of the extent to which these matters now went. He would read from a paper, he had in his hand, a statement of the Civil List revenue and the allowances to the royal family. The Civil List was esta-

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lished in 1804, at 960,000*l.* a year: from this had been deducted, in the way of expence, 133,000*l.* which was the same as so much being given to it, for that sum was still raised upon the public, and still paid to the Civil List. By an act of the present session, 124,000*l.* more were added, then 218,000*l.* out of the consolidated fund, as an allowance to the royal family; and if to this were joined the revenues of the Duchy of Lancaster amounting to 10,000*l.*; and of Cornwall say to 15,000*l.*; the vote of this session to the Regent of 70,000*l.*; another sum of 70,000*l.* granted to pay off incumbrances; the 4 and $\frac{1}{2}$ per cent. duties, being 30,000*l.* and the sum now proposed by the right hon. gent. of 36,000*l.* the gross amount of the Civil List per annum, for the support of the royal family, would be at this moment 1,668,000*l.*; an enormous tax upon the liberality of the country. He hoped it would not be imputed to him that he wished to diminish the just and proper splendour of the crown; but he believed that there were great abuses in the expenditure of the Civil List, and he thought that the 36,000*l.* which they were now called upon to vote, might be saved from that Civil List by a due and fundamental enquiry into its several branches of expenditure. That enquiry, however, never could be efficiently made, because the right hon. gentleman, though he would grant a committee, had told them, "you may examine accounts, but you shall not examine persons;" and he must know that it was impossible to come at the bottom of the Civil List expenditure without examining persons. He put it to the hon. chairman of that committee to say whether any progress had been made?—the answer must be "None," and he wished he had brought some of the papers in his pocket to shew the nature of the information they received. In the case of the foreign ministers, for instance, all they could learn respecting the difference between the estimate and the actual expence was, that the one was wrong and the other the fact. Looking at the question, therefore, in this point of view, he thought the House would confer a very hasty and ill-advised grant, if they voted the sum without previous enquiry into those subjects. There was yet another observation with respect to the Civil List which he wished to make, and that was with respect to the provision which it contained for her royal highness the Princess of

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Wales. He could see no reason why the Princess of Wales should be passed over with a comparatively inadequate provision. He had heard the rumour, which he dared say was familiar to them all, of a separation between the high parties in question, but he knew nothing of this parliamentarily, and could only express his opinion, that the sum at present allotted to the Princess of Wales was, considering her situation, insufficient. She was the wife of the Regent, and as much the representative of the Queen as the Regent was the representative of his Majesty. The sum set apart for her was not enough to enable her to support the splendour of the character in the way to which the nation were entitled. But there was no splendour—there were no drawing rooms—or any expence of this kind now attached to the royal functions, and yet they were called upon, and had augmented the revenues applicable to that purpose. Of the separation to which he had alluded, every one spoke but the right hon. the Chancellor of the Exchequer, who knew more about it than they did—he knew a great deal about it, he had acted as her Royal Highness's counsel in the investigation which had been so much talked of, and if he so thought fit, might afford them information on the subject. It would be better to do this in an open manner, than to suffer his old client to be pared off with so scanty a subsistence—it would be better than to suffer these reports about his favourite Princess to be whispered about.—The right hon. gentleman was once her Royal Highness's loudest champion, and yet he now consented to allow the Prince Regent's wife to be passed over in this way, at a time when he was proposing provisions so ample to all the other female branches of the royal family.

Mr. *William Smith* observed, that the present question included so much of a personal nature, that a member, standing forward on the occasion, was liable to be exposed to considerable obloquy. He had, in defiance of this risk, originally opposed the increased grant to the Princes, and now felt it to be his duty to follow the same course with respect to the Princesses. He could see no sort of occasion, at a period when the burthens of the people were so great, and the pressure of the time was so heavily felt by all—he could see no occasion for imposing this new load upon them; so far from it, in his opinion, it ought to be the last thing the House should

do. Since the charges, amounting to 135,000*l.* had been taken off the civil list, and that list had been very considerably added to, he could not but think it more eligible to bear this burthen, than that it should be laid on the people. The 30,000*l.* in the act of the 18th of his Majesty did not seem necessary, so long as the Princesses had their parents' house to reside in; and it was in this view that its provisions were made—but now 36,000*l.* was proposed, with that expediency still existing and likely to be taken advantage of. To a new grant, on this ground, he could see no good cause. There were different ways of acquiring popularity; and while some men might make themselves obnoxious, by pursuing the line of conduct he was now adopting, others might, by a contrary course, be making themselves acceptable to the higher powers. Few men in the habit of intercourse with those in a superior station, were able to resist the inclination of recommending themselves by consulting the wishes of their superiors; but how could this be reconciled with a sense of public duty? As for the splendour of royalty, he did not believe that the people of this country attached so much weight to that circumstance as the right hon. gentleman (Mr. Tierney) seemed to imagine. They were more interested in questions involving their constitutional liberties and rights. He was not for reducing the throne or its appearance, where that appearance was necessary for the good and credit of the nation; but he was averse to splendour, unconnected with these objects. If they looked to the affairs of Europe for the last ten years, they would see that, in proportion as the liberties of the several states were diminished, the splendours of royalty were increased. This comparison afforded no very happy augury on the present occasion. It had been said that the trappings of royalty were sufficient to maintain a republic. This he deemed to be an absurd idea. His opinions were, that all that tended to the real safety of the state ought to be kept up—that the generosity of the public would amply provide for the expence attendant on this—and that it would be infinitely wiser, in the present situation of the country, for the royal family and its advisers to remember the sacrifices making by all classes to meet the exigencies and pressure of the times, and not to allow the mere decorations of royalty to add to their burthens and distress. One

great miscalculation appeared in this matter—What was given to the chief magistrate ought not to be niggardly, because the honour of the nation was implicated in the manner in which he sustained his rank. But here when, as his hon. friend had stated, the expence had increased while the splendour had diminished, he thought in time that parliament should inquire before it extended that expence.—He could not conclude without saying something about the provision for her royal highness the Princess of Wales. He observed, in the charges upon the civil list, 58,000*l.* for a queen dowager, who kept no court, and only 20,000*l.* for a queen who ought to keep a court; and surely that was a division which did not exactly accord with the splendour of the throne. When he considered that, and when he considered too that there had been two large grants made to two persons, without any of that splendour which such grants ought to produce, resulting from them, he thought it infinitely better to postpone the present vote.

Mr. *Ponsonby* would not think himself justified in voting for the motion, unless some additional reasons were adduced to remove the objections he still had on his mind. He had himself first objected to the perplexed manner in which the right hon. gentleman had brought forward the measures for the support of the royal family in the present circumstances; he had repeatedly called for a clear and distinct account on that head, and was convinced that the House could not in duty proceed to grant further sums without having first obtained such an account. The present motion was, besides, founded on grounds utterly false; it went, not to fulfil the provisions of former acts, but to anticipate them, and to give the Princesses the present enjoyment of those annuities, which, under those acts, they could not expect till after the demise of the King. The additional grant of 10,000*l.* to her Majesty had been granted on representations equally fallacious, made by the right hon. gentleman. What reasons did he submit to the House, to induce them to confer that additional 10,000*l.* a year upon her Majesty? Why, that it was very likely her Majesty would wish to change her residence, and would have to incur increased expences, in consequence of his Majesty's indisposition, whose equipages, carriages, horses, &c. served for the general accommodation of the royal family.

He did not pretend to know what actual increase of expence had been incurred by her Majesty for horses and carriages since that period, but he knew there was no apparent increase. A permanent increase of the civil list, to the amount of 70,000*l.* had afterwards been granted, under the supposition that it would defray all the charges of the former civil list, and that the Princesses would derive the same support from it, and continue to live with the Queen. But it was said now, in support of the present motion, that possibly they would not continue to live with their royal mother. He called upon the right hon. gentleman to reconcile the inconsistency of his different statements. He called upon him to state, what reasons he had to think that the Princesses would not continue to live as they had hitherto done. To the increase of the annuities, considering the change of the times, he would not perhaps have a material objection; but the anticipation of those annuities was a question widely different. The Princesses might continue to live with the Queen; his Majesty might still live many years, while the Princesses could enjoy the annuities intended for them by former acts of parliament, only on the demise of their royal father. On these grounds, and however willing he was, and should be at all times, to contribute to the comforts and splendour of the royal family, he must vote against the motion.

Mr. *Fremantle* thought the proposed measure was due to the Princesses, from the situation in which they stood, and the distinguished and amiable characters they possessed. He certainly was of opinion, that if the enquiry into the civil list was gone into, the charge might be provided for without laying any additional burthen on the people, but in the mean time he could not suspend his vote. His right hon. friend who had just spoken, had asked upon what pretence the anticipation could be justified? he would answer, on the situation in which the Princesses stood, on the wish they must feel to be relieved from the daily observation of domestic calamity within the walls of the palace. The country was called upon, from a consideration of their age and situation, to make the grant. He had lived in the neighbourhood of the Princesses, had witnessed their charity, and heard of the good they did in the neighbourhood around them, and would consent most willingly to afford them the means of continuing

their benefactions. He separated the question entirely from that of the civil list, and should give his vote in favour of it with the most heartfelt satisfaction.

Mr. D. Giddy said, in reply to what had fallen from a right hon. gentleman, that, as chairman of the committee on the civil list expenditure, he should certainly apply to the House for leave to examine persons as well as consider documents, if it should be found necessary for the elucidation of the subject referred to the examination of the committee.

Mr. Bennet conceived that the present application to parliament for additional sums to the royal family, while there were so many indications of distress throughout almost every part of the country, was exceedingly ill-timed. At any rate, when an application was made on account of the Princesses, he hoped the right hon. gentleman opposite would give them some information, why no suitable provision was to be proposed for the Princess of Wales, the wife of the Prince Regent. He asked the right hon. gentleman, because he was aware, that no one knew more of the subject than he did—no one was more in the secret of what was called “the Delicate Investigation.” Why was she now, as wife of the Prince Regent, not to have the same state, the same drawing-rooms, and the same splendour, as the wife of the King? What was there that had happened which made it improper that she should appear in the station of a queen at a time that her husband performed the functions of royalty, and represented the person of the King? Every body had heard a good deal about books that were to have been published, and libels that were suppressed; and they had seen advertisements in the newspapers offering large sums of money for suppressed copies of these libellous books. Now there certainly must be considerable information in some quarter or other about these matters, and as the right hon. gentleman had been long the confidential adviser and counsellor of her Royal Highness, he hoped that he would not now desert his friend in her utmost need, but that he would state what was the reason for her being so neglected and passed by upon this occasion. As for himself, he did not feel disposed to vote another shilling until the corrupt expenditure of the public money was restrained, and the necessary retrenchments made, both as to sinecures and other branches of the public expence.

The *Chancellor of the Exchequer* could not refrain from taking notice of the contradiction between the latter part of the hon. gentleman's speech and that which preceded it. The hon. gentleman concluded by saying, that he would not vote a shilling of the public money till corruption and sinecure places were done away; and yet in the former part of his speech he had asked, why had not the Princess of Wales drawing-rooms like the Queen, and the same state and splendour? The hon. gentleman should have been aware, however, that if she was to have this additional state and splendour, there must be an additional grant of money; and yet the hon. gentleman was not disposed to vote a shilling towards it. As to all the questions which had been put to him on the subject of “the Delicate Investigation,” he should say nothing. The difference alluded to was certainly an unfortunate circumstance; but neither as minister, nor confidential adviser of his Royal Highness, did he feel himself called upon to make any specific statement to the House on the subject. With regard to the grant of an additional 10,000*l.* to the Queen, it was certainly given entirely independent of any consideration on account of the Princesses. The grant was to cover the additional expences to which her Majesty was likely to be put, in the present unfortunate situation of her royal husband, being deprived of the assistance which she would otherwise have derived from the royal establishment. In proposing it he had stated, that, as it could not be the wish of the House absolutely to compel her Majesty to reside constantly in the palace at Windsor, it would be necessary to make an additional grant in order to allow her to change her residence if she thought proper. With respect to the increase of the civil list, as to which much had been said, it was to be borne in mind, that though there was an increase of expence to the country, yet there was a diminution to the Prince of Wales, when compared with what was received by his father. It was undoubtedly true, that the maintenance of the two separate establishments of his Majesty and the Prince of Wales, would require a larger sum than what would have sufficed for his Majesty alone. When he was upon the subject of the civil list, he would state that he was sure what had been said by an hon. gentleman was a mere inadvertency; but though the subject was perfectly well understood in the

House, it was not understood elsewhere ; for this had frequently been made a subject of wilful misrepresentation ; and it had been contended that the whole of the civil list was disposable by his Majesty at his pleasure. With regard to the increase of the civil list, on account of the Royal Family, undoubtedly a family so large as her Majesty the Queen had been blessed with, did require a large sum from the nation ; but it was unfair to consider the 218,000*l.* appropriated for this purpose, as an addition to the civil list expenditure, and to blend together in one list the expences of the younger branches of the family and the expences of the Prince of Wales. This was not a fair representation of the civil list. It was unfair to make any comparison between a civil list with the addition of so numerous a family, and a civil list before that family was in existence. The present situation of his Majesty naturally brought the present provision to the Princesses before the House. They were now equally, as in the case of his demise, deprived of the countenance and protection of their sovereign and their father. It was no doubt true, as had been stated by the right hon. gentleman, that the Princesses would be enabled to live with more splendour if they lived together ; but the House would surely not eke and measure out their bounty to them in such a way as to compel them to live together. It was highly probable, however, that they would continue to live as they had hitherto done. Such would undoubtedly be their wish, as it must be the wish of every body else. The right hon. gentleman again (Mr. Ponsonby) thought that nothing whatever ought to be done on the present occasion ; that the grant to the Princesses ought to be in a contingent situation so long as his Majesty should continue in existence, and that the Princesses, at whatever period of life they might be arrived, should always be necessarily resident in the house of the King and Queen. When the House, however, came to take into their consideration the situation of these persons, their time of life, and the amiable character they had always maintained, he did not believe they would be inclined to deal with them in so hard a manner. It appeared to him, that there could indeed be no reasonable expectation that the result of any inquiries made by committees of that House, would point out any savings sufficient to supersede the necessity of coming to par-

liament for a provision for the Princesses, and it did not seem to him, therefore, to be proper, that the subject should be postponed till such an enquiry should be concluded. At all events, he thought the grant of what was necessary should be made now, and the savings which the committee should recommend might be made afterwards.

Mr. *Whitbread* rose to defend the alleged inconsistency in the speech of his hon. friend (Mr. Bennet) who opposed the addition to the expenditure of the Civil List, and yet thought that an addition ought to be made to the income of the Princess Regent. It appeared to him, that in this there was no inconsistency ; because his honourable friend and himself had no doubt, that if the expenditure were properly looked into, such retrenchments might be made as would enable the Princess Regent to be put in a situation to maintain such a splendour, as was suitable to her high rank in this country. Surely in this there was no inconsistency ; and it was a fearful thing, and a just cause of alarm to the country, that notwithstanding all the grants which they had so lately made to the Prince Regent, if that happy restoration took place, an event which every person in the country most anxiously looked to, the right hon. gentleman would still come down to the House with fresh demands on the people. The right hon. gentleman had told the House, that neither as servant of the crown, nor as adviser of his Royal Highness, would he say any thing on this subject ; but the time was, when the right hon. gentleman had not only said much on the subject, but had taken such measures as would have enabled all his Majesty's subjects to understand it. It was well known, that a book had been prepared by the right hon. gentleman for publication ; that out of some fund, whether public or private he could not tell, the expence of the printing of this book was defrayed ; that measures were taken that not only the subjects of this kingdom, but all the continent of Europe, should be made acquainted with it, but that suddenly the book had been suppressed, and the outstanding copies bought up at an enormous price, proceeding from what quarter he knew not. It appeared to him, therefore, that as counsel for her royal highness the Princess Regent formerly, and as the present adviser of the Prince Regent, the right hon. gentleman was placed in a situation which above all others

made it necessary for him to speak out on the present occasion. He could not conceive that the right hon. gentleman would now feel an inclination to be mute, when so recently he was disposed to have ten thousand tongues. For his part he would say, that not only was there no proportion between the sums of 58,000*l.* appropriated to the Queen, and the allowance to her royal highness the Princess Regent, but considering also, that this was not the sole allowance to the Queen, and that provision was also made for her at the royal table and otherwise, the different situation of the Princess of Wales, whom the public only knew to be living in retirement, sometimes at Blackheath, and sometimes at Kensington, could not fail to strike every person in the community. All that the public knew of her Royal Highness was, that she was not in the situation in which she ought to be; although the right hon. gentleman had written a book in her favour. They knew moreover that if ever she were to be put on a footing corresponding to her rank, they would be called upon for a fresh grant of money. The right hon. gentleman had told them, that the enquiry could be carried on as well after the present grant as before it. But it was very well known that the right hon. gentleman was very skilful when it suited his purpose, so to assort and regulate the documents produced by him, as to give that length to any enquiry which he thought proper. If the grant however were made dependent on the enquiry, the committee on the Civil List would not have the same long and unsatisfactory papers as they now had laid before them; and the chairman of the committee would soon find that many living witnesses would be speedily brought forward to remove every doubt or obstruction. He therefore conceived that when he opposed the resolution he was acting in consistency with his former vote for postponing the committee for a month.

Mr. *Wynn* thought it very unfair to rest the present question upon the merits and the virtues of the Princesses, who were the immediate subjects of the present discussion. This was invidious, as it threw a kind of odium on those who might oppose the grant, as if they were not as ready as others to acknowledge those merits and those virtues. The liberal grants, however, which parliament had formerly voted for the royal family, were not intended merely for their support, but for the support also

of that splendour and dignity which was supposed to become the royal station, and for the benefit of the nation. It had, however, been complained of by many, that with increasing grants, we had diminished splendour. While the King enjoyed his health, he always kept up a court. He used to have two levees and a drawing-room in the week, which gave his subjects, and particularly those who had petitions to present, sufficient access to his throne. Now these levees were very rare indeed; and subjects had had hitherto less access to the throne than when the King was in health. In the course of the present year only one court had been held. There was another point on which he wished for explanation: 70,000*l.* per annum had been granted as payment of certain debts which ought never to have been named in that House, as having been contracted in defiance of, and in the very teeth of an act of parliament. He would wish to know how long that 70,000*l.* annually was to be paid, or, when those debts of which parliament knew nothing should be satisfied, to what uses this sum would be applied?

Mr. *Pansonby* felt himself called upon, to reply to something which had fallen from the right hon. gentleman opposite. He was, however, in part anticipated in what he wished to observe by his hon. friend, who had just sat down; because in his opinion, nothing was so unfair as to throw any thing like an odium on those who opposed such a measure as the present, by inferring that they entertained an inadequate opinion of the merits and characters of those, who were the objects of the bounty of the House. The merit of the Princesses made no part of the object of consideration of the House, otherwise, this grant would have been made many years ago; because they did not come into all the good qualities which they were in possession of, since the commencement of his Majesty's unfortunate malady. They were amiable before this period; but this was no part of the consideration of the case. The question was merely whether parliament ought to anticipate the period when they were engaged to make provision for the Princesses? The grounds which the House ought to consider, were, whether the Princesses were likely to be put into a situation speedily to incur greater expences than their present income could afford? But on this subject, the right hon. gentleman had no

information to communicate. He had just told the House, that the additional 10,000*l.* given lately to the Queen, was given to her on no other ground, but on account of her own additional expences. Now, he would appeal to the House, if the right hon. gentleman had not stated the expence the Queen would be put to on account of the Princesses as a reason for the grant, and if he had not particularly stated the expence of the removal from place to place of the royal daughters, as likely to make a part of that expence: yet it would now appear, from what had been stated that night to the House, that the grant to the Princesses was to enable them to remove from place to place when they should think fit to do so. Grants of this sort ought to be put on an intelligible footing. Was it on account of the time of life of the Princesses? Then it could not be suitable to all of them, because they were not all of the same age. What, upon such a principle as this, the eldest ought to have had long ago, the youngest ought not, perhaps, to receive for many years. On these grounds he felt himself compelled to oppose the Resolution.

Mr. *H. Thornton*, though he felt himself inclined to support a separate establishment for the Princesses, considered himself called upon to oppose the grant at present. Some enquiry ought to take place, proving the necessity of throwing such an additional burden on the people. He could see no inconvenience in the House waiting till the report of the committee on the Civil List came before them. For his part, he wished to adopt the prudent precaution of waiting the result of the investigations of that committee, before he would venture to throw the whole, or any part of such a burden on the people.

Mr. *Wrottesley* agreed with the hon. gentleman who spoke last, that they ought to wait till the report of the committee was before them. He remembered well when the settlement of the civil list came lately under their consideration, that the right hon. gentleman (the Chancellor of the Exchequer) did state, as a ground for the House to vote the 10,000*l.* to the Queen, that the Princesses would remain with her. He would now ask him—had he this grant then in contemplation? If so, had he treated the House fairly? For himself he thought the right hon. gentleman had not acted in a candid manner towards the House.

Mr. *Barham* said, that he wished to put some questions to the right hon. gentleman, not as the confidential adviser of the Prince or his consort, but as the minister of this country. He wished to ask him in that capacity, why he had recommended an additional grant for the Princesses, and had entirely overlooked the person who was so much nearer to the throne than they were? He asked this question on public grounds, and he asked it of the right hon. gentleman, not as the adviser of the Prince, but as the minister of the country. He called upon the right hon. gentleman to state why no additional splendour was to be attached to the Princess of Wales, the wife of the Prince Regent.

Mr. *Tierney* said, he rose to ask the right hon. gentleman no question, for he saw that he was likely to get no answer; but he thought they were entitled to conclude, from the sullen silence of the right hon. gentleman, that he sanctioned with his approbation the separation between the Prince and Princess. (Cry of No, no, from the Chancellor of the Exchequer.) The right hon. gentleman cried No—then let him give his reasons for his present conduct. (Cries of No, and Hear!) The Princess Regent had not one farthing more assured to her than 5,000*l.* She depended on the bounty of the Prince for the other 17,000*l.* which might be withdrawn to-morrow morning at his pleasure. If the Princesses were to be made independent, why was she not made independent? She ought, undoubtedly, to be independent.—(Cries of No, no! from the ministerial bench!) The right hon. gentlemen say “No, no!”—and I say, said Mr. Tierney, “Yes, yes!”—I call upon them for their reason why she should not be independent? Both the right hon. gentleman and the lord chancellor must have informed themselves fully with respect to her conduct. If there was any thing in that conduct known to them, and unknown to the country, unworthy of her, the dignity of the country, and the dignity of the Prince Regent, required of the right hon. gentleman to bring forward an accusation against her.” He wished an answer. If they could prove any thing against the credit of the Princess, parliament ought to take even that away from her which they now allowed; but if they could not, there was no reason why she should not be maintained suitably to her rank in the state. If the King were to die to-morrow, and she was to come to the throne, what would the right hon.

gentleman then do? Would there be no provision made for herself similar to that which had been made for other queens of England? In the peculiar situation that the right hon. gentleman had stood, first as counsellor to the Princess, and now as minister and adviser to the Prince, there was no man capable of giving more information to the House. He wished to know why he had cast off one client to take a brief from another? He trusted that the right hon. gentleman was not the fomentor of the existing differences between the royal pair; and he really thought that he was bound, both to the country and his own character, to give some explanation of his conduct.

The *Chancellor of the Exchequer* said, that as for what he was bound to do from regard to the country and his own character, he should always judge for himself. He did not know in what capacity, or with what exact view, the right hon. gentleman came forward thus to question him; but he had no objection whatever to state, that neither in his capacity of counsellor to her Royal Highness, nor in any other character whatever, had he any charge against her Royal Highness, or the means of bringing forward any charge, and that he never meant to cast the slightest reflection upon her. He would say nothing further on the subject. As to this discussion, he had no delegated authority; no commands to propose an additional grant for the Princess of Wales. Nevertheless, if he could collect that it was the sense of parliament that such additional provision should be made, he made no doubt but that he would shortly be fully authorized to recommend it.

Mr. *Tierney* contended, that it was when grants were making for all the other branches of the royal family, that a proposal for an increased establishment of the Princess of Wales might be expected. But the right hon. gentleman now gave the House to understand, that if they absolutely would have it so, why then he would abate something of his dignity, and comply with their desire so far as to recommend a grant to her Royal Highness. But in saying that he was not authorised, —that he had no commands to bring forward such a measure, the right hon. gentleman was declaring, in other words, that he had not advised such a measure. He was glad, however, to have heard the right hon. gentleman state distinctly, that he knew no charge against her Royal

Highness as Princess of Wales. All he could conclude was, that as Princess of Wales, and wife of the Prince Regent, the right hon. gentleman and parliament knowing of no charge against her, she ought not to remain dependant on the pleasure of the Prince.

Mr. *Courtenay* said this was the first time, he believed, that the House had been called on to prescribe what Message ought to be communicated to them from the crown. He thought there was a delicacy with respect to the Prince Regent and the Princess of Wales, which the House ought not to lose sight of.

Mr. *C. Adams* considered this subject of the conduct and character of the Princess of Wales improperly introduced in the present question, and by a sort of side wind. Such a consideration was not before the committee, and he thought it unfair to hamper the right hon. gentleman in the way the right hon. gentlemen opposite were attempting.

Mr. *Whitbread* reprobated the doctrine thrown out by the right hon. gentleman, that he felt himself called upon to give no advice, but that if the House should shew any disposition to provide for her royal highness the Princess Regent, he should feel it his duty to make the communication to the Prince Regent. The House had now heard from a person who was so well qualified to judge, first as counsel employed by her royal highness the Princess of Wales, and then afterwards as the minister of the crown, that the conduct of her Royal Highness was perfectly blameless. It was certainly a very great satisfaction to hear, that no imputation could be cast on the Princess of Wales. This was peculiarly satisfactory, as the right hon. gentleman could not forget that her Royal Highness once stood in his estimation as a person who had been stigmatized for impropriety of conduct, and that he published a Book for the express purpose of establishing her innocence, by the removal of those accusations. The right hon. gentleman would do well not to forget, however, that her Royal Highness still remained unvindicated. It appeared to him, that there was nothing improper in taking this subject into consideration at the present time, when every branch of the royal family, but the Princess Regent, was provided for. When the right hon. gentleman made a demand of an establishment for the unfortunate monarch, of so many lords of the bed chamber, and so

many grooms of the stole (and be it remembered, that they could be employed only in giving accounts to his anxious subjects of the state of his Majesty's health, of which the public could get accounts only once in a month)—when the House saw large grants made to all the younger sons of his Majesty, and a grant of 9,000*l.* per annum asked for to each of the Princesses; he would put it to them if that was an improper time to come forward for the purpose of claiming some provision for a person in that high and exalted situation in which her Royal Highness was placed?—When the House heard from a person so well acquainted with the subject as the right hon. gentleman, that her Royal Highness was not in anywise blameable, when they heard this from the very man who would have proved to the world in his book that she was innocent, he would again ask if this was an improper time to come forward with a proposal to parliament? It remained to be enquired, whether the funds already provided were or were not sufficient for that purpose.

The *Chancellor of the Exchequer* observed, that what he had stated with respect to the Princess of Wales, was, that neither in his situation as counsel to her Royal Highness, nor in any other character, was he conscious that there existed a ground of charge against her. He should always be prepared to make the same statement.

Mr. *Lockhart* was of opinion that the only question now before the House was whether the annuity now proposed was fit to be granted to the Princesses? He was clearly of opinion it was no more than what was demanded, and of course the resolution had his decided support.

Mr. *Ellison* agreed, that the only question now for the consideration of the House was, the propriety of the grant now proposed to the Princesses. Whether an additional establishment should be made for the Princess of Wales was not a question before the House. He must deprecate the manner in which the right hon. gentleman, (Mr. *Perceval*) had been catechised on this subject.—It was unparliamentary, indelicate, and improper.—With family matters that House had nothing to do, and in at all interfering, gentlemen might widen, instead of healing, any breach which unfortunately at present existed.

Sir *J. Newport* rose to enter his protest against the doctrine laid down by the hon. gentleman who had just sat down, and
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who so pointedly disapproved of what he termed catechising the right hon. gentleman opposite. So far from the questions which had been addressed to that right hon. gentleman being either improper, indelicate, or unparliamentary, in his opinion they were exactly the reverse of all these. When grants were proposed to be made to remote branches of the royal family, what could be more natural, or more directly in order, than to ask why another person, more nearly allied to the throne, was alone passed by? On every proposition for a money grant, he had no hesitation in declaring it to be his decided conviction, that it was not only the right, but the duty of the House, to catechise the right hon. gentleman. On the subject which had been so repeatedly alluded to this night, there was, in his conception of it, something extremely mysterious, which required being accounted for; particularly, he thought the House was entitled to know from the right hon. gentleman, why he, who had been the advocate for her Royal Highness, should now have been converted into the person who was to withhold from her that justice to which she was entitled. He wished to ask too, whether the Book which the right hon. gentleman had at one time prepared for publication, had had the printer's name affixed to it, as was required by law, or whether, as had been reported, it was printed in the right hon. gentleman's own house? He repeated, that he thought the House entitled to know on what ground the right hon. gentleman, who had formerly been so loud in declaring the innocence of her Royal Highness, abstained from recommending that she should be placed in that rank in the country to which she was justly entitled?

The Resolution was then put, and agreed to without a division, and the House having resumed, the report was ordered to be received to-morrow.

BILL RESPECTING MEMBERS WHO BECOME BANKRUPTS.] Mr. *Thompson* moved the second reading of this Bill.

Mr. *Wrottesley* thought that it would be a hard case, in times like the present, for any man, who, by accident, might become a bankrupt, to be compelled to vacate his seat.

Mr. *H. Smith* could not see why persons who had suffered so severe an execution as an act of bankruptcy, should be more hardly punished than those who suf-

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ferred a less severe execution, but who were equally unable to pay their debts. The law ought to apply generally, or not at all. In the present situation of the country, the mere circumstance of becoming a bankrupt did not, in his opinion, render a man unworthy of a seat in that House. He trusted some consideration would be had for those whose bankruptcies were attributable to misfortune alone; and he declared that he had known more instances than one of bankrupts who had evinced by their conduct the highest sentiments of honour.

Mr. *Lockhart* thought great credit was due to the hon. gentleman who introduced this Bill into the House. So far were the provisions of it from imposing a particular hardship, that the various existing statutes, if they were strictly interpreted, would in his opinion disqualify a bankrupt from retaining his seat, and would authorise a motion for a new writ in the case of a bankruptcy. Now the proposed measure did not go to an immediate removal; but left the possibility of ultimately retaining the seat. He did not doubt that many bankrupts entertained sentiments of high honour; but such an argument as that, on that account alone, they should not vacate their seats, went against all qualifications whatever.

Mr. *W. Smith* contended, that the legislature had wisely declared, that a member of the House of Commons should have a certain qualification, that he might be independent of any corrupt motives. A bankrupt necessarily declared himself not worth a shilling, and were that the sole ground of objection to a bankrupt's retaining his seat in parliament, he should think it amply sufficient.

Mr. *Wynn* observed, that the 300*l.* a year qualification required by the statute would be now equivalent to 1,000*l.* He thought it necessary to maintain the law of qualification in point of property in the elected as well as in the electors.

Mr. *Lamb* observed, that the Qualification Act provided, that a member should have a certain qualification when he took his seat, but further it did not go. He could not give his consent to a Bill which appeared to him to trench upon one of the first rights of the subject, namely an eligibility to sit in that House.

The *Chancellor of the Exchequer* allowed that the existing law was anomalous: for Irish members becoming bankrupts, vacated their seats, while English members,

did not; but the hon. gentleman who brought in the Bill, had introduced provisions from the Irish act, which were not applicable to the English law of bankrupts. To equalise the situation of the members of both countries in this respect, the law must be embarrassed with many provisions of a different nature. At present, the Bill appeared to him to be extremely defective. An interval of six months was allowed by it after the bankruptcy, before the exclusion of the bankrupt from the House. In the course of that time, either by gift, bequest, or his own exertions, the bankrupt might become better qualified than when he originally entered parliament. On the whole, he thought it better to reject the Bill, than to admit it with all the embarrassing provisions with which it must necessarily be attended.

Mr. *Thompson* declared, that his object was to preserve, as much as possible, the independence of parliament, and to prevent persons who possessed no qualification, from sitting in that House, and making laws for the community. No doubt there were honourable bankrupts, but nine cases of bankruptcy out of ten, were attributable to folly and imprudence. A country magistrate would look shyly at a justice, who presumed to sit on the bench and administer the law, after having paid his creditors a shilling or half-a-crown in the pound; nor did he think such a person much more fit for a legislator.

Mr. *Giddy* supported the Bill, on the principle that power and property ought never to be separated; and therefore, that all members of that House ought to be duly qualified by the possession of certain property. Nothing had tended more to injure that House in the public opinion, than that bankrupts and insolvent persons had been allowed to sit among them; and he was anxious to remove this stain from their character.

The House then divided, For the second reading 22; Against it 19. Majority 3.

HOUSE OF LORDS.

Tuesday, March 24.

[BANK OF ENGLAND NOTES.] Earl *Grey* said, that a measure was then in progress through the other House of Parliament, which embraced a subject of the utmost importance to the country. From all that he had heard on the subject, he could view the measure in no other light than as a Bill for making Bank-notes, 18-

gal tender. In his opinion, therefore, prior to any discussion on the Bill, some information should be laid before the House, to shew how far, in the event of the measure having the effect he stated, the public could receive it, without some sufficient security being given—to point out how far the country could rely on that which was proposed to be introduced as a valid security. He should, therefore, feel it his duty to move for an account of the number of notes which had been presented at the Bank, for payment, within a specific time, and refused, on the ground of their being forgeries. If no objection were made to the production of this paper, he would move for it to-morrow. If, however, any opposition were likely to be manifested, he would postpone it till after the holidays.

The Earl of *Liverpool* observed, that he would, at present, say nothing more about the Bill to which the noble earl had adverted, than that he was entirely mistaken as to its principle. When the measure was regularly before them, he should be ready to state his opinion fully. With respect to the account for which the noble earl expressed his intention of moving, he was desirous, before such a motion was submitted to the House, to know, whether any objection against producing it, existed in the quarter from whence it must be derived; and, if any, what the nature of that objection was. That he might procure satisfaction on those points, he wished a short delay to take place. Probably, he should have an opportunity to-morrow, of acquiring that information; and, if so, he would communicate the result to the noble earl.

TOLERATION ACT.] Lord *Holland* said, that during the last session of parliament a Bill had been submitted to their lordships by a noble viscount (Sidmouth) whom he did not then see in his place, relative to the Dissenters, which, however, the House had not thought proper to adopt. Without meaning to state his own feelings and opinions, as they respected that Bill, their lordships must be aware that it had created a great sensation throughout the country, and that, in consequence, a new construction had been put on certain parts of the Toleration Act, different from any that had before prevailed. On that construction he would say nothing. It certainly would be indecorous for him or any other member of parliament, to animadvert on it, as having the sanction of judicial au-

thority. He had heard some time since, that it was the intention of government to afford relief to those persons who were exposed, by this new construction, to severe disappointment, by introducing a Bill into parliament for that purpose. He always thought, that any act of grace came best from the executive government; and, while there was any expectation that they would propose some measure of relief, he had waited, with great anxiety, to give any humble assistance which lay in his power, towards its completion. But, as they were now approaching the recess, and a considerable part of the session had elapsed, he wished to be informed whether it was in the contemplation of the noble lords opposite, to submit any measure to parliament, of the nature to which he had adverted. Because, if no such intention existed, it would be a matter of serious consideration, whether a proposition should not be made by some noble lord not connected with the government.

The Earl of *Liverpool* said, that the question of construction had not yet been done with in the courts of law, for he understood that it was intended to have the decision of the court of King's-bench reviewed by appeal, or in some other way. When the question was completely settled in the courts below, then would be the time to bring before parliament whatever might be proper on the subject.

Lord *Holland* said, that the matter had been decided by the court of King's-bench; and what he wanted to know was, whether there was any intention on the part of government to bring in such a Bill as that which he had mentioned in the course of the present session?

The Earl of *Liverpool* again asserted, that the question had not been altogether disposed of in the courts below. Some applications had been made to government for a Bill of this kind, but he thought it quite time enough to answer such questions as these, when the matter should be decided in the courts of law.

Earl *Grey* said, he understood the noble lord's opinion to be, that it was most expedient to let the business lie over until the disputed point was decided. It was a matter of great interest to a very large body of persons, and, therefore, it was highly important that they should be apprised of the decision as soon as possible. He should be glad to know, supposing the recent construction of the act was upheld, whether, in that case, government con-

templated any measure of relief for those who would be affected by it?

OFFICES IN REVERSION BILL.] The order of the day for the second reading of this Bill being read,

Earl Grosvenor observed, that he had a strong aversion to these temporary measures on so important a subject. He should not oppose the second reading of the Bill, in the hopes that their lordships would agree to an extension of its principle, and continue the prohibition of granting offices in reversion for 20 years. He was thoroughly convinced that these grants ought to be completely abolished. It was, in his opinion, a measure of the greatest consequence, though he knew that it had been described by some as one of very trifling importance, and by persons, too, who might have had the best reason to be satisfied of its great importance. It was sufficient, however, for his argument, that the public thought it a measure of the last importance; and, in his opinion, unless these grants were abolished, the constitution itself would be endangered. He had, on a former occasion, brought this question before their lordships, and he was not yet discouraged. On whatever side of the House he might find himself, he should still persevere till the object was accomplished. He was satisfied, that unless the practice of granting offices in this way was abolished, the people would feel a perpetual distrust of the executive government. There was hardly any individual, he should suppose, but wished the abolition of the practice, except such as expected to profit by its continuance. Their lordships had before recognized the principle of the measure of abolition. But it had been argued, that no material saving was to be expected from the adoption of the measure. It had not been advocated merely on the ground of the immediate saving it would produce; but supposing it had, he contended, that the argument was far from being unfounded. He was convinced that the measure was highly important, even with a view to immediate economy. If the abolition of the practice had taken place at the beginning of the present reign, several places which now existed would have been altogether abolished, and there would have been a saving to the state of many millions. A strong objection to these reversions also was, the clandestine manner in which they were given. The appointment of

Mr. Buller to be Clerk to the Privy Council had lately been noticed in another place; and the statement in reply was, that this place had been long ago given to Mr. Buller in reversion, even while he was an infant. This was what hardly any body had been aware of, and was a proof of the secret way in which these transactions were carried on. Mr. Buller might be a proper person for the office: he knew nothing about that, either one way or the other; but if he was, the public was so far fortunate, and more fortunate than it deserved to be, since it had permitted this practice to continue so long. He maintained that its abolition would be most important, as recognizing the principle of economy, besides the actual saving which it would produce. The noble earl then adverted to the reason assigned in the preamble for passing this temporary measure, which was, that something connected with the subject was under consideration by a committee of the other House. The reason was an absurd one, as far as it could be expected to operate with their lordships. They could not regularly take notice of what was under consideration in the other House; but they all knew, that the subject referred to was that of sinecure offices. And the truth really was, that these, though distinct from reversions in one sense, were nearly connected with them in another. They were inseparably linked together. They were the vultures that preyed on the vitals of the country, and as they had lived so they ought to die together. He hoped he should not be told by the noble and learned lord on the woolsack, as an excuse for himself, that many distinguished chancellors had granted offices in reversion. It did not follow, therefore, that they approved of the practice, or that the noble and learned lord himself approved of it. That most excellent man and distinguished judge, sir Matthew Hale, had decried the practice; lord Coke had also decried it; and was it to be doubted but lord Hardwicke and other eminent chancellors disapproved of it, and would have said so if the occasion had arisen? If this practice were abolished, that would indeed be a day of jubilee—of real jubilee for the people: but without this, all would be discontent and disappointment. The Prince Regent would have to regret the pernicious advice which had led him to treat with indifference, not to say with contempt and scorn, propositions of such

importance as this. The noble earl concluded by declaring, that when the Bill came to be committed, he would move to extend the period of prohibition to twenty years.

The Bill was then read a second time, and ordered to be committed the first Thursday after the recess.

IRISH DISTILLERIES—SCARCITY OF PROVISIONS.] The Earl of *Darnley* rose to call their lordships' serious attention to the present situation of the labouring poor of Ireland. In the first place he was anxious, as far as possible, to obviate any objections which might be made against the general principle of the motion which he should submit to their lordships. He thought, from the present situation of Ireland, he was justified in calling the attention of parliament towards it: but he must at the same time observe, that if he believed any real scarcity of provisions existed in that country at the present moment, he would repress his feelings, and not bring the subject before the House; because he knew, in such a case, that the interference of their lordships could not effect any great alleviation of the evil. Believing, however, as he did, from the best information, that no real scarcity, no great deficiency in the necessaries of life, had actually taken place in that quarter of the empire—believing that no immediate danger was to be apprehended—he felt it a duty incumbent on him to state that which he knew to be a fact, namely, that certain districts were suffering all the miseries and evils attendant on a dearth of provisions, though no general scarcity existed. Many noble lords, from their residence in Ireland, might probably be enabled to give more circumstantial information on the subject than he could, whose knowledge was necessarily derived from others. But he was convinced of the accuracy of the statements which he held in his hand, which were written by persons on the spot, and from them it would appear, that the high price of provisions and the difficulty of procuring subsistence in particular districts, had been attended with very bad consequences.—The noble earl here read extracts from two letters, describing the distress which existed in the districts where they were written, but the names of which he did not state.—The facts narrated in these letters were undoubted, and a considerable alarm had been excited through different parts of the country in

contemplation of a dearth of food. A reverend prelate, whom he did not then see in his place, but whose attention was particularly called to that part of Ireland where the dread of scarcity was most prevalent, must be aware, that, in his diocese, the poor were suffering great distress from want of provisions. Now, in his view of the subject, the legislature, by putting a stop to the distillation from corn in Ireland, would produce very beneficial effects. The encouragement of distillation in Ireland, he considered a strange and singular kind of policy. Among all the evils which that country suffered—among all the causes which were said to produce that want of industry, that spirit of insubordination to the laws, which had been so much complained of—nothing operated more powerfully than the facility with which the Irish peasantry were enabled to indulge in the use of spirituous liquors. At a former period, when the distillery was stopped, he had occasion to go to Ireland, and he noticed, in the lower orders, a very manifest and praiseworthy alteration. Instead of the frequent instances of intoxication, which he had formerly witnessed, he saw very few indeed during his residence in Ireland at that time. He, therefore, thought, that, when the prohibition was followed by such excellent consequences, the government had not consulted the advantage of the country, in the way all governments should do, by again permitting distillation to an unlimited extent to take place. He might be told, that the proposition he was about to make came too late, for the distiller had already purchased his annual stock of grain, and had even commenced his preparatory process. To a certain extent this might be the fact. But the answer was, why did not government look into the matter sooner? When they saw the rising price of grain, why did they not interfere? They had a rising market before them; and one of the consequences of their not having interposed was, that oats had now arrived at 30s. per barrel. He should be sorry to propose any thing which could interfere with the agricultural interests of Ireland; but the present was an extreme case, and deserved immediate attention. In consequence of the alarm which had been excited in particular parts of Ireland, the price of provisions had been enhanced far beyond any thing which the circumstances could justify; and, as parliament were competent to entertain any measure

which might seem calculated to remedy the evil, he thought it was the duty of their lordships, even now, to consider the propriety of temporarily stopping the Corn Distillation. He did not mean to assert, that this was the best measure that could be resorted to—but such it certainly appeared to him; and if the noble lords opposite would satisfy him by shewing that they had done, or were doing, all that the necessity of the case required; or if, in opposition to what he had advanced, they would prove that no scarcity whatever existed in Ireland, he would very cheerfully withdraw his motion. His lordship concluded by reading the three Resolutions which he intended to propose for the adoption of the House, namely, “1st. That the present high price of provisions in Ireland has produced great distress to the labouring poor in that country. 2dly. That it is the duty of the House to take into consideration the best means of removing the evil. 3dly. That it is expedient, for that purpose, to suspend the distillation from grain, while such high price continues.”

The Earl of *Clancarty* said, he was fully inclined to give the noble earl every degree of credit on the score of purity of intention, in coming forward on the present occasion; but it was with much regret he felt obliged to oppose the adoption of the noble earl's propositions. Their lordships were not now to be reminded of the great, the extreme delicacy with which the agitation of all questions connected with the subsistence of the population was attended. They must feel the great importance of having it alleged in so grave a place, that the executive government had neglected its duty on an occasion of such vital importance. But without the existence of any actual scarcity, as the noble earl had avowed his belief of, and without which he must contend that any measure would be injurious, he thought it much to be lamented, that the subject was thus brought forward. His information, which he had from the best sources, from almost daily conversing with persons just arrived, or from letters almost daily received from Ireland, led him to draw very different conclusions from those adopted by the noble earl. There was no danger to be apprehended, or even the appearance of any degree of scarcity taking place, at least during the present year in that country; that an universal rise in the prices of grain had taken place in Ireland,

was a proposition which he must deny. He had recently perused a written statement of the prices, in the principal markets, particularly in the articles of the first necessity, of oats, wheat, and potatoes. In some places, oats were at 13s. 6d. the barrel. At Bantry, they were at 14s. at one time, and afterwards at 12s. 6d.: on the very same day, they were as high as 25s. at the great mart of Cork. Potatoes were 3s. 6d. the stone at Cork, a price never known before, while in Dublin they were only 1s. The rise, therefore, was far from being universal, and there existed no apprehension of a scarcity. The proposition of stopping the distilleries would not act as a remedy, particularly now the season was nearly at its close, and the stock in a state, from the processes it had gone through, so as to be unfit for the food of man. The government of Ireland had earlier and better information on the subject than either himself or the noble earl, and it was highly reprehensible if it did not adopt every practicable expedient to avert the dangers contemplated by the noble earl. The principal cause, in his opinion, for a rise in the prices of grain in Ireland, was the great exportations of corn from that country, and particularly to Great Britain. It had been stated, that the proportion of wheat imported here from Ireland was about one-tenth; but of late years, the proportion, in the article of wheat alone, amounted to one third of the whole of the British importation! To this the measure proposed by a right hon. baronet in another House, greatly contributed. He meant not to impugn the measure, it was of advantage not only to Ireland, but to the empire at large [Hear, hear! from the marquis of Lansdown]. As to any serious apprehensions of a scarcity in Ireland, he was far from apprehending any. The noble duke at the head of that government did not sleep upon other occasions, and he was not likely to slumber on this. Judging and feeling as he did of the noble earl's proposition, he should take the liberty to move, “That this House do now adjourn.”

The Marquis of *Lansdowne* took the opportunity to offer a few general remarks on the nature and tendency of the measure adverted to in terms of approbation by the noble earl, which had been proposed by a right hon. friend of his (sir J. Newport) in another place; the effect would be more to qualify and render Ireland a grand granary for supply, and almost an

inexhaustible source of supply to the empire at large. A system of frequent and reciprocal commercial intercourse between the sister islands, was one, he thought, the most to be wished for, as the system likely to be productive of the greatest reciprocal advantage.

Viscount *Mounjoy* made a few remarks in support of what had fallen from the earl of Clancarty.

Lord *Holland* shortly observed, that from what had transpired of the subject, he felt it rather difficult to understand upon what principle, and, with reference to the degree of scarcity to be apprehended, upon what ground it was deemed advisable to stop the distilleries in England, that would not equally apply to Ireland.

The motion for an adjournment was then carried without a division.

HOUSE OF COMMONS.

Tuesday, March 24.

BREACH OF PRIVILEGE—COMPLAINT RESPECTING A WITNESS BEING ARRESTED.]

Mr. *Eden* moved, that the order of the day, for taking into consideration the matter of the Complaint made to the House, that Mr. Campbell being summoned to attend the Committee appointed to enquire into the manner in which Sentences of Transportation have been executed, and into the effects which have been produced by that mode of punishment, had been arrested by a Sheriff's Officer yesterday, on his way to the House, be now read.

The order being read, Mr. Campbell was called to the bar, and interrogated by the Speaker.

Q. Your name, sir, is Campbell?—A. Yes, Robert Campbell.

Did you receive an order to attend a Committee of the House of Commons yesterday?—Yes, I did.

In writing?—In writing.

[The Order was here put in and read. It was signed by Mr. Eden, as Chairman of the Committee, and ordered Mr. Campbell to attend.]

Were you prevented from attending by any circumstance, and what?—I was.

By what?—By an arrest.

Where?—In my own house. I had been out in the morning, and a little past twelve o'clock returned home for some papers which might assist me in answering questions which might be put to me by the Committee, and which I had forgotten. I found there three sheriff's offi-

cers, and was immediately served with a writ by one of them. I stated to him my situation in regard to the order of the Committee, and shewed him the order, as my protection, but all to no purpose. He said I must go with him, and after going up stairs to speak to my family, who were much distressed, I went with him accordingly to a lock-up-house in Black-friars-road.

Did you shew him the order before he took you from your house?—I did.

What is the officer's name?—I have since understood it to be Hindson.

At what o'clock were you arrested?—At about a quarter past twelve.

Where is your house?—No. 1, Walcot-place, Lambeth.

How long had you been absent from home before the time of your return?—From about half past nine o'clock—[and here the witness mentioned the various places he called at, and transacted business, till the period of his return, in consequence of having forgotten the papers before mentioned.]

Mr. Campbell was ordered to remain at the bar, and Mr. Hindson to be called; but on Mr. Wilson, a Member, rising to ask information from the Speaker, as to the proper course of proceeding, the witness was ordered to withdraw.

Mr. *Wilson* then stated some objection that appeared to him? In reply to which,

The *Speaker* said, it was the established course of the House first to ascertain, by evidence, the nature of the facts, and then it was competent for any hon. gentleman to propose what course he thought fit to be adopted.

The parties were then called in, and Hindson, the officer, examined:

Your name is Hindson?—Yes.

You are a sheriff's officer?—I am.

Did you arrest Mr. Campbell yesterday?—I did.

Where, and at what time? At No. 1, Walcot-place, Lambeth, about 12 o'clock.

On what process, a civil or criminal action?—On a special Capias for debt.

Did he at the time allege any reason why the arrest should not take place?—Yes, he did. He stated that he was called on to attend a Committee of the House of Commons, and produced a written paper to that effect, such as I had never seen before. My writ included two persons of the name of Campbell (John and Robert), and the order did not specify the christian name.

What did you do accordingly?—We walked together to Blackfriars-road, where I procured a special messenger to go to Mr. Campbell's attorney, to desire him to attend the Chairman of the Committee. I went myself to Messrs. Dan and Crossland, the solicitors, who employed me, and stated the case to Mr. Dan, whom I saw, and shewed him the order which I had procured from Mr. Campbell for that purpose; Mr. Dan said he did not think it was a legal protection, and directed me not to discharge my prisoner till a proper enquiry should be made. From him I went to Mr. James, the under-sheriff of Surrey, who informed me, that no similar case had occurred during the time he had been in office, and requested to go for information to Mr. Burchell, the under sheriff of Middlesex. I saw Mr. Burchell, who gave his opinion, that being in Surrey, it did not come within the jurisdiction of the House; and that I ought to wait till a new order was made, which would probably be this day. I then went back and saw Mr. Campbell. I told him that Mr. Dan refused to grant the discharge, and also what had passed between me and the under-sheriffs.

Did you take any steps to ascertain if Mr. Campbell was the person summoned by the Committee?—I never was in the House of Commons before, or nearer to it than the court of King's-bench, in Westminster-hall. I did not enquire into this, as my time was occupied, as I have stated, and I was served with the notice to attend here to-day, soon after I got home.

What is the amount of the debt?—6,960*l.* and upwards. If it had fallen on me, it would have been utter ruin to myself and family.

The parties being withdrawn,

Mr. *Eden*, without offering any observations, moved—"That Mr. Campbell be allowed the privileges of this House, and be discharged from his arrest."

Mr. *Wilson* did not think him entitled to this, as the case did not come exactly within their privileges, which he was as anxious to preserve as any man. He then stated the facts as disclosed in the preceding evidence, and contended, that Mr. Campbell being at that hour returning to his own house, could not be said to be in progress to the Committee of the House of Commons.

Mr. *Eden* felt that there could be no doubt on the question before the House. As Mr. Campbell had been ordered to at-

tend the Committee at one, and was passing by the Horse-guards at five minutes after twelve, nothing could be more probable than that he had returned for the purpose he had forgotten.

The *Chancellor of the Exchequer* said, if the witness had been *bona-fide* on his way to the House, its privilege ought unquestionably to be extended to him; but his being found at home might naturally enough lead the officer to suspect, when the order was produced, that it was some trick if the man was passing the Horse-guards at twelve o'clock, and went home, as he had stated, for a paper which he had forgotten; all this might be considered as in progress towards his attending the Committee, and the privilege of the House ought to be extended to him. He conceived it must be admitted, unless the veracity of the witness were questioned, that he was entitled to the privilege of the House.

Mr. *Wilson* observed, he had been somewhere else all the morning previous to his passing the Horse-guards at twelve o'clock, on business not connected with the Committee.

Mr. *Lockhart* thought, the order of the House, which was in his possession, ought of itself to have protected him from an arrest.

The question was then put and carried.

Mr. *Eden* was of opinion that no censure was deserved by the unfortunate sheriff's officer, and he should therefore not propose to proceed with any severity against him; but he thought Mr. Dan, the attorney, ought to be ordered to attend to receive a reprimand for the language which he had held with respect to the order. He would therefore move that Mr. Dan be ordered to attend.

The *Speaker* wished to know, if the gentleman would pursue this motion before the House decided on giving an order for the attendance of Hindson again to-morrow.

Mr. *Stephen*, before Mr. Dan was ordered to attend, wished to observe that there had appeared no intention on his part to infringe the privileges of the House. He would put it to them, if when the amount of the debt was considered, it could be expected that any man would take upon himself the heavy responsibility of ordering a discharge of the arrest, unless he was certain that the order would justify his doing so.

Mr. *Tierney* thought Mr. Dan ought at

any rate to be called to their bar, and told how the law stood in that respect.

The *Chancellor of the Exchequer* said it was a question of fact, and was of opinion that no *prima facie* case was made against Mr. Dan, and that, as it did not appear he had any disposition to treat the privileges of the House with contempt, it was not necessary that he should be ordered to attend.

Mr. *Tierney* thought if nothing farther were done, and it appeared on their Journals that no steps were taken in consequence of such a breach of privilege, attorneys might hereafter refer to this case, and tell those offending in a similar manner, that it was of no consequence, and no notice would be taken of it by the House.

Mr. *Owen*, when the responsibility of the man who discharged an arrest was considered, thought a fair excuse appeared for Mr. Dan. It seemed there was no christian name mentioned in the order, and therefore it might well be suspected that it was intended for another Mr. Campbell, and that the person arrested attempted improperly to take advantage of it. He thought enough had been done to assert the privileges of the House, and hoped they would give the parties concerned no farther trouble.

Mr. *Bastard* understood, that Mr. Dan had said "Don't mind the order of the House, but keep your prisoner." He thought he could not say this in ignorance, and that consequently a farther enquiry was necessary. [The short-hand writer's notes of the evidence were here read.]

Mr. *Ponsonby* agreed that this was a question of fact, but thought the attendance of Mr. Dan necessary, as he had doubted whether or not an order of the House could legally protect a person from an arrest. If he should appear to have doubted not the effect of an order of the House, but whether the order produced were genuine, or if he had doubted whether Mr. Campbell was the person entitled to its protection; he thought there would be but one opinion in the House, that he should be discharged. Since, however, Mr. Dan had been stated to have doubts on the subject, it was proper that he should be ordered to attend to state on what those doubts were founded.

The *Solicitor-General* thought it appeared that Mr. Dan, considering the circumstances altogether, wished to have the opinion of counsel, before he discharged the person: but if it was thought neces-

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sary to have an explanation from his own mouth, as to whether he disputed the authority of the House, or only the authenticity of the instrument, he should have no objection to his being called.

Mr. *Wynn* said, the act was a manifest breach of privilege, and those who would state the case most favourably for Mr. Dan, must own that there was at least great doubt in his expressions. If the motion before the House was, that he should be taken into custody, what had been stated by the gentlemen opposite would have great weight, but they did not go the length of disproving the propriety of an order for his attendance.

The motion was then agreed to, and Mr. Dan ordered to attend to-morrow. Mr. Hindson was also ordered to attend again.

Mr. *Eden* said, he had received a letter from Mr. Palmer, a witness attending a Committee of that House, complaining of having been arrested, (a laugh.) He did not know that the case was marked by circumstances so aggravating as those which characterized the former one; however he should move, that John Palmer and Alexander Grace, sheriff's officers, do attend the House to-morrow.—The motion was agreed to.

SINECURES BILL.] Mr. *Banks* rose and moved, That the three first of the Resolutions which, upon the 31st of May, 1810; were reported from the Committee of the whole House, to whom it was referred, to consider further of the Report which, upon the 29th of June, 1808, was made from the Committee on Public Expenditure, and which Resolutions were, with an Amendment to the second and third, agreed to by the House, might be read; and the same were read as follow:

"Resolved, That the utmost attention to economy, in all the branches of public expenditure, which is consistent with the interests of the public service, is at all times a great and important duty.

"That for this purpose, in addition to the useful and effective measures already taken by parliament for the abolition and regulation of various sinecure offices, and offices executed by deputy, it is expedient, after providing other and sufficient means for enabling his Majesty duly to recompence the faithful discharge of high and effective civil offices, to abolish all offices which have revenue without employment, and to regulate all offices which have re-

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venue extremely disproportionate to employment, excepting only such as are connected with the personal service of his Majesty, or of his royal family, regard being had to the existing interests in any offices so to be abolished or regulated.

"That it is expedient to reduce all offices, of which the effective duties are entirely or principally discharged by deputy, to the salary and emoluments actually received for executing the business of such offices, regard being had to any increase which may appear necessary on account of additional responsibility, and sufficient security being taken for due performance of the service in all cases of trust connected with public money, regard being also had to the existing interests in such office."

The hon. gentleman said, that there was nothing on which the country looked with more pleasure than on the salutary principles of regulation which ought to be applied to *Sinecure* offices. Nothing, however could be so mischievous as those publications which, being dictated either by ignorance or by malice, tended to make the people imagine, that any reduction which could be made in the department of useless offices, was likely to diminish in any sensible degree the burthens created by the war. It would also be a great imposition on the House, if he should pretend, that the motion which he had to propose could be attended with an immediate economical effect. All that could be done was the establishment of the economical principle; and this, in the end, would have a sure, though a slow effect. *Sinecures* were but small drops to be saved from the ocean of expence; and again, he must caution the public from looking to their abolition as a cause of diminishing the public burthen. Much, certainly, had been done with a view to economy within the last forty years,—much more, indeed, than had been effected in that way from the period of the Revolution. His view was to abolish every office to which no efficient duties were attached; and this would be productive of gradual benefit. The offices obnoxious to him were those which were only burthensome, and not in any sense advantageous. He would follow the rules established for superannuation in the collection of the revenue; because as the practice of bestowing *sinecures* at present stood, there were seldom any claims of meritorious service ad-

vanced, and they were conferred alike on the worthy and unworthy. He hoped the House would always shew its liberality, in being never niggardly to services fairly established:—such money was never ill bestowed; and, in fact, money must be bestowed, unless we chose to leave public situations either to the aristocracy of fortune or to needy speculating adventurers. He should be sorry to see a contest between the aristocracy and the active talent of the country, for in such a strife it required little sagacity to foresee who would be victorious. It was to guard against any such fatal alternative, that he wished meritorious service of a certain duration to be rewarded; not, however, by the objectionable mode of *sinecure*, but by what he conceived a far better substitution. His motion contemplated the establishment of a fund, which in the first instance was to be begun by the profits of the *sinecure* which would soonest drop. The fund would be recruited by the very saving of the plan he had to propose. If any inconvenience should arise from no *sinecure* office becoming in a short time vacant after the adoption of his plan, the House would not, he was confident, be backward in supplying the deficiency. Something ought to be done towards the destruction of the principle on which *sinecures* were now bestowed; and if the principle were once destroyed, those *sinecures* which might remain, would only be considered as exceptions to a general rule, and would lose all their deformity. The Irish pension list also deserved to be looked into. This pension list was enormously extravagant, when added to the burthens which Ireland had to bear in contributing her 2-17ths to the expences of the whole country. Its pension list alone was 80,000*l.* a year. He would not now occupy more of the time of the House, as the time for discussing the principle of his Bill would be more properly on the second reading. The hon. gentleman concluded by moving, "That leave be given to bring in a Bill for abolishing and regulating *sinecures* and offices executed by deputy, and for providing other means for recompensing the faithful discharge of high or effective civil offices, and for other economical purposes."—Leave was accordingly given, and Mr. Bankes, Mr. Wilberforce, and Mr. J. W. Ward were ordered to prepare and bring in the same.

MOTION FOR PAPERS RELATING TO

CAPTAIN KING.] Lord *Folkestone* said, he held in his hand a Petition on which he found it necessary to make a few observations, before he moved that it should be brought up. The House would recollect that previous to the expedition against Buenos Ayres sailing from the Cape of Good Hope, sir Home Popham, who had the command of the naval department, had by a mistake in his own judgment, illegally, as it had since been determined, hoisted a broad pendant and constituted himself a commodore. In consequence of this self-promotion, he had appointed the Petitioner, captain King, a most deserving and capable officer, who was then a lieutenant in the navy, captain of the *Diadem*, the commodore's ship: and in this capacity of captain, and with all the great responsibility attached to the situation, the petitioner conducted safely the *Diadem*, and the fleet under her command, from the Cape to Buenos Ayres. When the expedition arrived there, the petitioner at the instance of the commander-in-chief, took the command of a body of marines, and acted on shore as a lieutenant colonel; in the execution of which service, as well as that of the captain of the *Diadem*, he received the thanks of his superior officers. He had since been fixed in his command as captain of the *Diadem*, and acknowledged at the Treasury as a lieutenant-colonel: but when the prize-money came to be distributed, the petitioner was named in the warrant only as lieutenant King, and only entitled to a share of prize-money as applicable to that rank in the navy. This was a very serious injury to captain King, in point of pecuniary interest; but besides that, he felt it as a kind of slur on his character, which he was desirous of having removed. He had, therefore, requested the noble lord to present this Petition, which the noble lord had readily undertaken to do; but having stated this much, he found himself at a loss how to proceed for the best, and would be obliged to the Speaker for his advice. His first idea was to move for a committee to enquire into the circumstances of the case: but on farther consideration, he thought that it would be better to move merely, that the Petition do lie on the table: and then, as the case was well known, and he believed, acknowledged by ministers to be a hard one, if they did not take it up in a certain time, he would make a motion on the subject. This seemed to be absolutely necessary, as captain King had been

deprived of all chance of deriving benefit from a court of law, as well as of his character as an officer. He moved, therefore, That the petition be brought up.

The *Speaker* observed, that it depended on how far this was an application for money, before the House could determine as to its being received.

Lord *Folkestone* said, the Petition complained of the usual practice being departed from to his loss and detriment; but it was not altogether pecuniary compensation, but restoration of character, which was his object in bringing forward the Petition. If the usual practice had not been departed from, he could have proved his rank, but being named as a lieutenant he was precluded from doing so.

The *Speaker* was extremely unwilling to start any objection to the Petition, but it was the duty of the House to beware how they established a precedent by receiving it. If he understood the noble lord, the petitioner craved remuneration, and other things. Now in all cases hereafter to be brought forward, of application for money, would not the petitioners pray for remuneration and other things?

Lord *Folkestone* wished to state, that this was not the language of the Petition, which did not pray for remuneration and other things, but merely his own comment on it. No doubt ultimately the effect might be so. Sir Home Popham had appointed the Petitioner a captain. This appointment was not legal on the part of sir Home; but was the Petitioner to dispute the order of his commanding officer to make him a captain? Was he to examine into sir Home Popham's right before taking the command? If he had objected to the appointment he would have been guilty of mutiny, and liable to be tried by a court martial. It was true, that if the petitioner had been named as captain of the *Diadem*, sir Home Popham could only have received prize money as a common sailor, but if any person was to suffer, it was the person who committed the illegal act, and not the person who obeyed. He at the time had been more than six months promoted to the rank of captain. There were many instances of captains of the navy, though in no command on shore, still sharing in the distribution of prize-money.

The *Speaker* said, that on these grounds, the noble lord having shewn, that what he had said respecting remuneration was only his own comment, he now thought himself at liberty to put the question.

Mr. Rose stated this to be a question of very considerable hardship, but the noble lord, he believed, would find it very difficult to put it in such a shape as to allow it to be successfully entertained by the House. He was not at present so well prepared as he could wish to be, not being aware of the subject coming that night before the House, respecting all the particulars of this case. He could say, however, that it was heard in the Exchequer for many days before the lords of the privy council, sitting there in their judicial capacity, who, after much deliberation, came to the ultimate determination, that captain King could not share as a captain. This, he could say was not done with any particular view of benefiting sir Home Popham. All the circumstances of the case had been attended to, and captain King's promotion taken into account. The whole of the prize was now distributed. He was willing to admit captain King's merits, and that his case was one of compassion. It had been stated by the noble lord, that the object of this Petition was not only to obtain money, but to remove a slur cast upon him. For his part he had never heard any thing of him but commendation.

Mr. Stephen rose to correct an accidental mis-statement of his right hon. friend. Counsel had certainly not been heard in this case before the privy-council. He then entered into a legal disquisition to prove, that the case was not a law case, but that it came under the prize act, to be decided under the prerogative. The commodore had no power to appoint a captain, and captain King having been thus illegally appointed, did not come within the scope of the proclamation for the distribution of prize-money, under the assumed title to which he had no right. There was no apprehension, that this principle of exclusion would extend to any other officers, as it was grounded merely on the illegality of captain King's appointment.

Mr. Whistbread was glad that the statement of the hon. and learned gentleman who spoke last, had put down the authority of the right hon. gentleman. Indeed it must appear to any person impossible that till captain King saw the warrant he could argue against it. If there was to be a sufferer in this case, there was no question but it ought to be the man who had misconducted himself. Captain King had been placed in a situation by sir Home Popham, where he had deserved the

thanks of his country, and had received pay and forage money, as a lieutenant-colonel on shore. He was to all intents and purposes a field-officer on shore; but it seemed, that because sir Home Popham had committed an illegal act, captain King was to be degraded. He was not, as had been said, lieutenant of the Diadem, previous to the appointment in question, but commander of L'Espoir. He was taken out of his ship and sent upon land, where he would have shared as a field-officer. Sir Home Popham, when he had acted in a different manner from what he ought to have done, was to be rewarded at the expence of a man who had done his duty.—Sir Home, upon other occasions, had received large remunerations from the Droits of Admiralty; but captain King, it seemed, could find no friend among the advisers of the crown, to afford him any remuneration from these funds. He apprehended that captain King had more at stake than the money; he felt that he had been excepted in the most invidious manner; he felt that some slur in the public mind must have been thrown upon him; and if the House expressed their opinion, that the persons who issued the warrant acted in an unlawful manner, they would do more for the satisfaction of captain King, than if the money were to be taken from the pocket of sir Home Popham, and put into his own. It was material to know who had been the advisers of the crown throughout this whole matter.

Mr. Rose stated, that the decision complained of was not one come to by his Majesty's ministers, but by the privy council.

The Chancellor of the Exchequer apprehended, that the Petition was for money; and as a petition for money, it could not be received by the House without a previous recommendation on the part of his Majesty. The noble lord by whom it had been introduced, had rightly stated, that there was no actual demand for money in the prayer of the Petition, but at the same time he had properly admitted, that pecuniary remuneration was the ultimate aim, and necessary consequence of the Petition. Such, certainly, was the true construction to be put upon the Petition, and no one could possibly entertain a different opinion. Gentlemen on the other side were in error to contend, that there was no other mode of bringing the subject under the consideration of parliament. On a statement of the facts contained in the Petition, they might

move for papers to elucidate those facts; and if the House thought a sufficient ground was laid for the production of the papers, they would afford sufficient means of judging of the true character of the proceeding alluded to. Whatever might fall from hon. gentlemen in the heat of debate, he was convinced that they did not really themselves believe, that there was any premeditated injustice in the present case. It certainly was a case which had been attended with considerable difficulty. It had long occupied the attention of the privy council. They had compared the conflicting memorials on the subject, but they had certainly not heard counsel. The law officers of the crown had been consulted by government; and the result of all those deliberations and consultations was a determination to set aside the illegal appointment altogether, without any reference to the character of captain King; and to leave the parties in the same situation as if that appointment had never taken place. As to *L'Espoir*, the appointment of captain King to that ship proceeded from the same source as his appointment to the *Diadem*, and consequently was equally illegal. He received his share of the prize-money as a lieutenant, which was his legal rank. He was very ready to own, that captain King having long acted as captain, might feel himself disappointed in his expectations of receiving a larger share of prize-money than that which he actually did receive. He expressed his regret that such a meritorious officer should experience any mortification; but he confessed that the case did not appear to him to be one of such hardship as to demand relief from the *Droits of Admiralty*. Had his opinion been different on this subject, nothing would have been more easy than to have remunerated captain King from that fund, without doing any injury to sir Hume Popham, to whom he had been so strangely accused of sacrificing captain King's interests. He trusted the House would pause before they authorised the bringing of prize causes before them. They must be aware that such a step would be an encroachment on the prerogative; but they were not aware of the multiplicity of perplexing business in which such a proceeding would necessarily involve them. He begged to caution gentlemen against abandoning themselves to the first feelings of liberality; unless indeed gross abuse and oppression were clearly established. He trusted that the

House would agree with him in rejecting the Petition, on the ground which he had before stated, namely, that it was a Petition for money, not recommended by the crown; leaving the question open to discussion in any other way, should the case appear to demand it.

Mr. *Ponsonby* was not prepared to say, whether the present came within the rule of the House; but he thought, generally, that it was a Petition directly asking for a grant of public money, and not one which might ultimately tend to that effect, that required the consent and recommendation of ministers. He conceived that the meaning of the rule was to make ministers responsible for what grants they recommended, and not to restrict the power of parliament. He should take the liberty, however, of suggesting to the noble lord, that if instead of pressing now to a division, when such doubts were entertained, he would withdraw the present motion, and move only for the Memorials of captain King to the Admiralty or Privy Council, he might perhaps, by such a motion, ultimately obtain his object.

Sir *C. Pole* thought that there was a peculiar hardship in this case. If captain King had been appointed through an error of the commander, still he had done the duty, and he thought he ought to share for the rank in which he acted. If he had been a simple passenger, and appointed to command the marines on shore, he thought that he must have shared.

Mr. *Yorke* certainly considered that captain King had suffered great hardship but not injustice. He had not been deprived of any legal right, but he was disappointed in a hope which he might very rationally have entertained. As to strict justice, the doors of justice were open to him as well as to any other man, if he had any legal injury to complain of. He considered that this Petition was substantially, if not formally, an application for a grant of money, and that therefore, it could not be received without the recommendation of ministers.

Lord *Cochrane* was of opinion, that instead of sharing as a lieutenant, captain King ought to have shared for the rank in which he served. He thought that it was clearly within the power of the privy council to have ordered him such a share, and that if reward was the proper stimulus for exertion, the privy council had committed a gross error in not awarding him such a share. He believed that prize

money and the rewards of the profession were very principal causes of the exertions made in it. He confessed that they operated on his mind, and that it was the diminution of the prize money by recent regulations, which principally induced him to leave the profession for the last two or three years (hear, hear! from the ministerial benches.) He would never be a robber of his own country, but he saw no reason why we should not be permitted to plunder our enemies. He had presented a Petition the other day, which was refused to be received, from a man (general Sarrazin) whom he considered as a highly meritorious officer; and because ministers did not appear sensible of his value, they refused him the rewards which, as he thought, were due to the plans which he had presented for the good of the country, and the success of the war. He thought that injustice had been done to that gallant officer as well as to captain King, and that parliament ought to have power to take such petitions into their consideration without asking the consent of ministers.

Mr. *Peter Moore* said, that every body had been heard except the Petitioner. He wished that the Petition itself might be read, in order to learn whether it was really an application for a grant of public money, or whether it was not such a Petition as might be entertained without the consent of his Majesty's ministers.

Admiral *Harvey* thought that the whole question in point of order was, whether this was a Petition for money or not; and it appeared to him it could have no other object but money, and that no other relief could have been contemplated by the Petitioner. He allowed with the noble lord that the emoluments of the service must be desirable to every one embarked in it, but still he would never allow that those emoluments were the only stimulus to exertion. Although there were fewer opportunities now than there formerly were of obtaining glory and profit in the naval service, still the sense of duty would always stimulate our officers to proper exertions. If captain King had been unsuccessful in meeting in this instance a serious disappointment to his natural expectations, he hoped some other opportunity might occur, in which his services would meet their proper reward.

Mr. *Croker* thought it necessary to state to the House what the recent alteration of the regulation respecting prize-money

was, which appeared to the noble lord (Cochrane) of such importance, as to make him withdraw from the active services of his profession. Formerly the commissioned and petty officers had six-eighths of the prize-money, and the seamen and marines had but two-eighths. Considering the merits of the seamen and marines, and the numbers among which it was to be divided, it was thought proper to give them somewhat a larger share, and now it was five-eighths which went to the commissioned and petty officers, and three-eighths among the seamen and marines.

Lord *Cochrane* contended, that the proportion to the petty-officers had been decreased rather than increased, and defied the hon. gentleman to prove the contrary.

Mr. *Bastard* thought, that as captain King had done the duty of captain of the *Diadem*, and had been subjected to all the responsibility of that duty, he ought to have shared for the rank in which he served.

Lord *Folkestone*, in consequence of what had fallen in the course of the discussion, was ready to withdraw his motion, and put it in a shape less objectionable. He hoped, that if the House should coincide with his motion in another shape, the right hon. the Chancellor of the Exchequer would not withhold his consent to an application for a grant of money. He considered that if the *Diadem* had been lost, captain King would certainly have been tried for the loss; and as he had done the thing which was required of him, he ought to share in the gain.

The *Chancellor of the Exchequer* requested the noble lord would not consider him as a party to any arrangement of that sort. He had argued before, and should still contend, that unless a very strong case were made out, the House would not feel disposed to take into its consideration matter of this nature.

Lord *Folkestone*, after a few words in explanation, withdrew his motion, and then moved, "That there be laid before this House, Copy of any Memorial or other Paper presented by captain King to his Majesty, to the board of Admiralty or to the Privy Council, respecting the booty captured at Buenos Ayres, and also the report of the law officers of the crown, to whom it was referred to consider of such Memorial."

Mr. *Yorke* said, that as to the subject of this new motion, he thought that the House would not interfere in such cases, except

on very strong grounds. At present he should vote against it simply on the ground of the House being taken by surprise, by a motion of this sort being brought on without previous notice.

Mr. *Whitbread* then suggested the adjournment of the debate upon this motion, until after the holidays; he should say till the 8th of April.

This suggestion was acquiesced in by the House, and the debate was accordingly adjourned to that day.

MOTION FOR PAPERS RESPECTING CAPTAIN TOMLINSON.] Mr. *Westerne* said, that he rose to move for a variety of papers relative to the prosecution and trial of captain Tomlinson, of the royal navy, and he hoped he had it in his power to disprove any imputations which had been cast on him. He begged to assure the House, that his sole motive in coming forward on this occasion was, to vindicate the character of a brave and gallant officer, and to redress the injuries he had sustained, by the only mode which remained to remove the stigma which had been most unjustly affixed to him. The case of captain Tomlinson had been already in part before the House, on a recent debate, [see vol. 21, p. 960,] and it had been there stated, he thought rather incautiously, by the secretary of the Admiralty (Mr. Croker,) that captain Tomlinson had been acquitted in consequence of a flaw in the indictment. This he denied; for there was not a tittle of evidence on which he could be condemned, nor could it be shewn that he was guilty of the smallest neglect of duty. What was the nature of the accusation? That captain Tomlinson, commander of the *Pelter* gun-brig, had entered into a conspiracy to defraud government, by making extra charges for the repairs of the vessel which he commanded, and that those extra charges were to be made by a forgery of the blacksmith's account, which amounted to 29*l.* and was to be increased to 98*l.* This conspiracy was alleged to have taken place fifteen years prior to the charge being brought against him; and it happened that this was the only money transaction that captain Tomlinson ever had with the navy board in his life. From the nature of the business, it was quite impossible for a person in captain Tomlinson's situation to account for the authenticity of all the vouchers of the sub-tradesmen, or of the stores which were sent to the ship, and his business was

to transmit them ministerially to the navy board. In the present case then, he affirmed, there was no fraud whatever; and he was convinced that the ship-wright was perfectly innocent of any fraud, though that was not material as affecting captain Tomlinson. That officer had pursued the ordinary course on his arrival in port, relative to the repairs of his vessel; he drew a bill on the navy board for the amount, and his pay was debited on the bill until the vouchers were forwarded. The necessary certificates were procured (which the hon. gentleman read), and the bill was ordered to be paid, as the certificates were perfectly regular; and it so happened that the officer who succeeded captain Tomlinson, in the *Pelter*, being re-commissioned (lieut. Walsh), was acquainted with the transaction, and might have been examined. This being the case, it was most extraordinary that, without any ground of charge, the navy board should afterwards obtain a warrant to arrest captain Tomlinson. And here he had to remark, that the evidence which had been procured did not attach, in the slightest degree, to captain Tomlinson; did not even name him, or venture to assert that they suspected him, or had any reason to suspect him; and it was certainly rather a hasty proceeding in Mr. Justice Nares to grant the warrant on such slight grounds, and he could not help supposing that he must have been taken unawares. The hon. gentleman then referred to the affidavits, in which the name of Captain Tomlinson never occurred. However, two Bow-street officers were dispatched in pursuit of him, while he was in the command of the sea fencibles at the mouth of the Scheldt. He surrendered himself, and on coming to town requested an interview with the solicitor of the navy, who refused to meet him until he submitted to the warrant. He asked, was this the treatment due to a gallant and meritorious officer, to refuse him an explanation, on a charge of fifteen years standing, and after dragging him up to town on an accusation of a capital felony? He could not help saying that it savoured something of malice. At last a hearing was granted him. Mr. Graham and Mr. Nares both said, that there was not a tittle of evidence in support of the charge; and when the solicitor of the navy proposed that he should be liberated on bail, these gentlemen said, that there was no pretence for that; and the prosecution would have

ended here, but a bill of indictment, founded on *ex parte* evidence, was found against captain Tomlinson and Mr. Tanner, by the grand jury of Middlesex.—Here the hon. gentleman recapitulated some of the particulars of the trial, and commented on the speech of the Attorney General (as reported on that occasion, by a person employed by the prosecutors.) The result was the acquittal of captain Tomlinson, after having suffered what he must call a most cruel prosecution. It could not have been hoped that captain Tomlinson would be found guilty, for if there was a shadow of evidence against him the indictment would have been laid in Hampshire or Devonshire, and not in Middlesex, when it must necessarily have fallen to the ground. All the evidence which had been procured, was that of persons actuated by malice or spleen against the shipwright, Mr. Tanner, and there was no opportunity of procuring evidence to rebut them. On the whole, there appeared a considerable degree of malice manifested by the solicitor of the navy board, in the mode of conducting the prosecution of captain Tomlinson and Tanner. On the 23d January, 1810, the latter entreated to be allowed to state his case; but it was pretended, that nothing was known of it, though he saw the witnesses, who deposed against him, in the room of Mr. Knight, the solicitor of the navy. He was equally unsuccessful in an application to sir W. Rule, one of the commissioners of the navy. On the 4th February he was arrested, and kept in a lock-up house, after which he was sent to gaol, where he was left nine days before he was confronted with his accusers, who were suffered to go down to Dartmouth when they had signed the affidavits, from whence they returned on the 12th or 13th February. Whether, however, Tanner had been guilty or not, captain Tomlinson was not affected by the evidence, and the prosecution must be attributed to malice and cruel oppression. Prior to the prosecution he had held an important command, in consequence of a plan submitted to the Admiralty, for fitting out fire-ships on the expedition to the Scheldt, in 1809. He had been furnished with orders for all the necessary supplies, but afterwards had occasion to make strong representations of a deficiency; and he was fully justified in doing so, for his character was at stake. He firmly believed that it was in consequence of those complaints that the prose-

cution had been commenced against him. On the whole, he trusted the House would grant the papers he should move for, as there was no other resource left to captain Tomlinson by which he could wipe off the stigma injuriously and maliciously thrown upon him. The honourable gentleman then paid the highest compliments to the private and professional character of captain Tomlinson, and concluded by moving, in the first instance, "That there be laid before this House, copies of all letters or informations given to the Navy Board, on which the prosecution was ordered against captain Tomlinson and Mr. Benjamin Tanner."

Mr. Croker denied that there was any delay or neglect in the Navy Board, in not having furnished the stores required, consequently that they could not be accused of malice in the prosecution. There had been some years back a sort of mercantile and ship-building connection between Tomlinson and Tanner, subsequent to which Tanner became a bankrupt. The assignees made a demand of a debt due from the captain to the latter, which demand he resisted, stating that he had no transaction with Tanner so far back as 1795. The assignees brought their action, and it was necessary to prove the signature of the captain to a document: a blacksmith from Dartmouth was put in the witnesses box, and was shewn a paper from the Navy Board, as of work done by him, and he was asked was that his signature to the Bill? To which he replied "No." The counsel expressed his astonishment, and said, "it must be, for it was a voucher from the Navy Board." The blacksmith replied, "Though it is a voucher from the Navy Board, nevertheless, it is not my writing. It is a forgery." Upon this evidence the prosecution was grounded. So much for the malice: When Tanner was taken up for his share in the transaction, there were found in his desk certain remarkable papers, as of bills for work done by order of captain Tomlinson; on one side of the papers was the real number of days charged, and on the other fictitious ones, in order to defraud government, so that instead of five or six days per man, there were charged 14 days. When the false gains were summed up, there appeared a remainder of a bill in favour of Nicholas Tomlinson for 20 guineas; finding these fraudulent papers, was it malice in the Navy Board to institute enquiry? He proceeded to state

various other circumstances of a suspicious nature, which at the time seemed fully to justify the proceedings of the Navy Board in the case of captain Tomlinson.

Lord *Henriker* condemned the opposition given by the honourable Secretary to the Admiralty to the motion of the hon. gentleman. That motion was for papers, not to criminate or exculpate, but merely to enquire into the conduct of government towards an officer who had been engaged in seventy-two battles.

Sir *Thomas Thompson* defended the character of the Navy Board. He attempted to shew that they had been guilty of no neglect of duty in furnishing articles to captain Tomlinson; stated, that they did not know of the subject of the prosecution, till within three days of its being commenced; and contended, that in ordering the prosecution, they had been actuated by no vindictive spirit. He sat in company at the Navy Board with eleven as honourable men as any in this kingdom.

Mr. *Brand*, from the high character which he had heard of the gentleman who was the subject of the motion, and the observations which had fallen from the Secretary of the Admiralty, wished to make a few observations. The speech of the honourable Secretary was certainly calculated to make an impression on the House, which made it so much the more necessary to accede to the motion. He would not allude to what had been said about malice; but that there was an unfavourable impression on the mind of the Secretary of the Admiralty, against capt. Tomlinson, was very evident. If he himself were to speak on such a subject, where a captain of the British navy had been acquitted by the sentence of a judge, when not a tittle of evidence had been produced, he certainly would, at least, have observed a more decorous mode of speaking of the gallant officer. He would not, with the levity used by the hon. Secretary, have so coupled the names of Tomlinson and Tanner, and Tanner and Tomlinson. He was acquitted, not because the indictment against him was ill laid, nor because Tanner could not be prosecuted, but because there was not the smallest evidence against him; and he must say, that when an honourable captain of the British navy was acquitted, and when, through the medium of an hon. friend of his, called for the production of documents to justify his character, the House was bound to give him such an op-

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portunity of clearing himself in the eyes of the country. After the strong impression, too, attempted to be made against his character and honesty, they were bound to see these papers produced. Whatever had been the practice of the Navy Board, he should think that after a lapse of so many years, when the subject was so trifling in its amount and accidental in the manner it came before them, it would have been more decorous if, instead of immediately ordering a prosecution, they had sent for capt. Tomlinson; and asked him in the first place to explain what they conceived was irregular or incorrect. Very different, however, was their mode of proceeding; and though he would not say the prosecution was dictated by malice, he would say that there must have been at least a strong leaning against the hon. captain. However strongly the hon. Secretary had put many of the cases, it might be possible that they could receive a satisfactory explanation. Indeed he understood that many of the private memoranda that night first produced, would be explained by the very papers required. The item of 20*l.* for instance, referred to muskets taken in a prize by capt. Tomlinson, and sold to a volunteer corps. He had not the honour of an acquaintance with capt. Tomlinson, but when he knew that he stood high in the opinion of the gentlemen of the neighbourhood, who wished to come forward in his behalf, that he had displayed high valour in fighting the battles of his country; and when he called on the House, merely to afford him the means of re-establishing his high and injured honour, they ought, in his opinion, to lend a willing hand to afford him every means for that purpose.

Mr. *Croker* in explanation said, he had merely stated the facts on which the Navy Board had acted, without arguing from these facts.

Mr. *W. Smith* said, it appeared to him that the manner in which the Navy Board had been defended by the hon. Secretary and the hon. baronet, were as opposite as light and darkness. In defending the Navy Board from malice, the honourable Secretary certainly left an impression on his mind not very favourable, and opposite, perhaps, to what he intended; but what had been said by the hon. baronet, a member of the Navy Board, had been said in a way that certainly did him great credit. He stated matters in a clear way, without colouring, and he thought he had

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proved not only no neglect of duty in the Navy Board, but that they had shown no malice or dislike in the prosecution. It appeared to him that they had committed no impropriety but one. Considering how long captain Tomlinson had been in the service, they acted in a hasty manner. When he had fought so long the battles of his country—when so great a command was entrusted to him in the Walcheren Expedition—he confessed it did appear hard that, on such slight grounds, the Attorney General should have been instructed to bring a prosecution against him for felony. And this was the whole of the charge against the Navy Board in this transaction. Sufficient ground, in his opinion, had been stated for the production of the papers. It would be said perhaps that his conduct to the Admiralty and Navy Boards had been petulant and violent—[cries of No, from the ministerial bench]—Then if not so, there could be no charge against him. Of captain Tomlinson he knew nothing personally; he knew only that he was acquitted from the prosecution brought against him: he was assured by a gentleman in his parish, for whom he had the highest esteem, that he had observed captain Tomlinson in various relations, both as a private individual and a magistrate, and that such a charge could not be brought forward with the slightest shadow of foundation. What were they to think of such a prosecution, when they were told that it was scouted by the court, who would not even allow evidence to be brought forward against it. It could not be denied, that an allegation of fraud had been made against captain Tomlinson, and it could not be denied that the Secretary of the Admiralty had detailed, what he conceived to be irrefragable evidence, to prove that he had committed that fraud. What, then, was the demand of captain Tomlinson? That as a charge had been brought against him in an open court, where he had no opportunity of bringing forward evidence, and afterwards twice in that House, such papers might be produced as would enable him to go into the whole of the case. Capt. Tomlinson must have lost his memory, and lost his judgment, if he wished for the production of papers which would not produce an effect such as he alleged they would produce. It was very hard such a charge should be allowed to attach to a gentleman who held so high a situation in the navy [No, from the ministerial bench]. Then if he held at pre-

sent no situation, it was very hard surely, that a charge which could not be proved against him, and which he was willing to go into so minutely, should be the means of preventing him from being employed by his country.

Mr. *Robinson* observed, that, as the supporters of the motion had entirely exculpated the Navy Board from all blame, they had taken the ground from under the hon. mover. He justified the Secretary of the Admiralty from the hard measure which had been dealt out to him, and thought it was impossible for him to have taken any other course than he had done to refute the imputations thrown out against the Board he was defending.

Mr. *Whitbread* observed, that the hon. Secretary of the Admiralty had brought forward much new matter without the smallest evidence. But taking all that had been alledged, what was there in it? Because captain Tomlinson was in partnership, and because Tanner had committed forgery, were they entitled to proceed against captain Tomlinson without any evidence? Should that justify a prosecution against a captain of the British navy? After they had failed in the warrant, upon the very same evidence they went before a grand jury. This shewed a singular zeal in prosecution. With all deference to the gentlemen who presided at the Navy Board, he could not but think that as a board they had been negligent of their duty.—The hon. gentleman then went into several particulars of the case of captain Tomlinson, and argued that there was not the smallest ground to doubt, from any thing that had yet been said or produced, the statement of captain Tomlinson. Was it not necessary, therefore, that the matter should be enquired into? He thought there was something like a persecuting spirit displayed in this business, if not by the Navy Board, at least by those whom they employed. The business was first brought before Mr. Nares, then before Mr. Graham, than whom no man stood higher in the estimation of the public, as an upright and intelligent magistrate, and both Mr. Nares and Mr. Graham thought there were not even grounds for holding captain Tomlinson to bail. Here it was taken on the same evidence to a grand jury; and the Attorney General said, that he ought to be hanged, because he happened to be connected with a fraudulent partner. This was a curious conclusion to jump at. He wondered how so great a

lawyer as he was, could have sanctioned such a prosecution. This enquiry was due to the country. The country owed much to captain Tomlinson. It was due to the country, because he was a proscribed man, and was deprived of an honourable employment in the service of that country which so often he had gallantly defended.

Mr. Croker again explained. He had not argued the case to prove captain Tomlinson's guilt, but to shew that the Navy Board had grounds for what they did.

Mr. Whitbread stated, that the speech of the hon. Secretary had exactly the effect as if he had argued against captain Tomlinson.

Lord Cochrane wished an investigation not only for the sake of the individual member, but of the profession to which he belonged. He had heard him universally well spoken of, not only as a gallant officer, but as a moral and conscientious gentleman.

The Chancellor of the Exchequer hoped the House would not be misled by their feelings to enter upon a jurisdiction quite new to them. It was impossible for the House to take upon themselves the functions of a court.

Mr. Abercromby thought captain Tomlinson placed in a very unfortunate situation. His name had been introduced before into the discussions of that House, and the Secretary of the Admiralty, not an ordinary member, had misrepresented his case. The correction ought to have the same notoriety. Might not a naval court of enquiry be appointed on the recommendation of a Committee of that House?

Mr. Yorke observed, that if that which the last speaker had recommended were done, it still could not be brought before a court martial, as the circumstance happened 15 years ago, and therefore such a proceeding would be contrary to the articles of war.

Sir F. Burdett said, that as captain Tomlinson was aspersed by a charge of participating in the embezzlement of the public money, the House was called upon to go into an enquiry.

Mr. Lyttleton considered captain Tomlinson as having suffered a most extraordinary hardship, and parliament he thought would dishonour itself by not adopting investigation.

Mr. Westerne shortly replied; after which the House divided.

For the Motion.....31

Against it.....53

Majority.....—22

HOUSE OF COMMONS.

Wednesday, March 25.

PETITION FROM GLASGOW RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Mr. Houston presented a Petition from the lord provost, magistrates, and common council of the city of Glasgow, in council assembled, setting forth,

"That in the view of the approaching expiration of the charter of the united company of merchants of England trading to the East Indies, the Petitioners beg leave respectfully to convey to the House their sentiments and wishes on this important subject, a subject which, at the present crisis, is so highly interesting to the city of Glasgow, as well as to the empire at large; and that in addressing the enlightened legislature of this country, the Petitioners deem it quite unnecessary to use any arguments farther than an appeal to the experience of past ages to prove the general inexpediency of commercial monopolies; the Petitioners presume not to offer any suggestions relative to the future government, civil and military, of the British possessions in India; and they disclaim any interference whatever with the existence of the East India Company as a trading corporation, or with its internal arrangements, and foreign and domestic establishments; all they humbly propose is, that the exclusive privileges of the Company may not be renewed or continued, and that the trade to the vast countries between the Cape of Good Hope and the Straights of Magellan may be laid open to the commercial enterprise of all the subjects of the empire; and that not only the inhabitants of the United States of America, but also the subjects of all other governments in amity with this country, should have been admitted to commercial intercourse with the British possessions in India, while British subjects were excluded, appears an unnatural and extremely hard, if not an unjust arrangement, and, at the present period, when our inveterate enemy is exerting all his power to debar this nation from commerce with the continent of Europe, the continuation of such a system would be peculiarly inexpedient; the admission of a free and unfettered trade with the very large proportion of the population of the globe, comprehended under the exclusive grant of the East India Company, fortunately presents a substitute for the partial

and temporary loss of European commerce; it will afford an extensive field for the employment of mercantile talents and capital beyond the tyrannical grasp of the enemy; and to the opening of such a field, at such a conjuncture, it is not easy to foresee any well-founded objection, especially when there is strong reason to believe, that the capital of the East India Company is not adequate to the trade, and when it appears that the Company has, since the last renewal of its charter, added greatly to its debt; and that the monopoly has not proved advantageous even to the trading corporation, for whose behoof it was granted; and praying the House, in its wisdom, to adopt such measures as may render it lawful for any of his majesty's subjects, from and after the 1st day of March, 1814, to carry on from any of the ports of the united kingdom a free and unlimited trade with the British possessions in India, and with the other countries situated to the east of the Cape of Good Hope and to the west of Cape Horn."

Ordered to lie upon the table.

BREACH OF PRIVILEGE—COMPLAINT RESPECTING A WITNESS BEING ARRESTED.] On the motion of Mr. Eden, Mr. Dan was called to the bar, and examined by the Speaker. Mr. Dan stated, that he was an attorney, that in consequence of his orders Hindson, the sheriff's officer, had been instructed to arrest Mr. Campbell; that after the arrest, Hindson came to him with a paper, which he said, Campbell offered as his protection from arrest; that the paper shewn to him by the clerk (the order of the Committee for Mr. Campbell's attendance as a witness) was that paper; that he conceived it was a trick to facilitate escape; that he also doubted, if authentic, whether it was an essential protection; because Mr. Campbell was arrested, not in going to the Committee, but on his return home; that the Committee was not described in the paper as a Committee of the House of Commons, and that the residence of Mr. Campbell was not specified. Having withdrawn,

Mr. Eden said, that Mr. Dan's statement had been so satisfactory, that he was sure the House would agree to his motion for discharging that gentleman from any further attendance.

Mr. Dan was accordingly discharged, as was also Hindson, the sheriff's officer.

On the motion of Mr. Eden, Mr. Pal-

mer was then called to the bar, and examined by the Speaker.

Mr. Palmer stated, that he was ordered to attend the Committee on Monday; that he was arrested a little after four in the afternoon of that day, having left the Committee a little before four; that he lived at Limehouse; that he was arrested in Blackfriar's-road, going to call on his brother-in-law Mr. Campbell; that Grace, the sheriff's officer, arrested him, that he shewed Grace the order for his attendance on the Committee; that Grace said, he was obliged to take him, although he expressed no doubt of the authenticity of the order; that he told Grace he was going back to the House of Commons for a letter from the Chairman of the Committee; that he had been instructed by the Committee to go to Mr. Campbell, who was in custody in the neighbourhood of Blackfriars'-road, and to return to the House, where he would find either the Chairman of the Committee or a note from him; that while acting under these directions, and returning from Mr. Campbell, he was arrested: and that he had in vain stated all these circumstances to the officer.—The Witness having withdrawn,

Mr. Eden observed, that before he moved to call in Grace, he would state to the House, the object of the Committee, in sending Mr. Palmer to Mr. Campbell. During the examination of Mr. Palmer before the Committee, that gentleman received information, that his brother-in-law, Mr. Campbell, had been arrested on his way to attend the Committee as a witness. They conceiving it to be their duty, in maintenance of the privileges of parliament, to bring the fact before the House, requested Mr. Palmer to go to Mr. Campbell, and to prevent him from endeavouring to procure his discharge by bail.

The *Chancellor of the Exchequer*, on this statement, was inclined to think that Mr. Palmer, when arrested, could not be considered as a witness, but as a messenger, and doubted whether under those circumstances he was entitled to protection.

Mr. Eden argued by analogy, from the practice of courts of law, that Mr. Palmer was entitled to protection, and stated two cases in support of his argument. The one was of a person whose cause was put off early in the morning, but who, not returning home until evening, was on his return arrested; the other was of a woman, whose cause was decided on a Friday, but who, waiting until Saturday for a stage in

which to return home, was arrested in getting into the stage. In both those cases the courts decided, that the individuals were entitled to protection.

Mr. Wynn said, that this was a novel case; but the inclination of his mind was, that Mr. Palmer ought to be protected. He had been ordered by the Committee to do a particular act before his return home, and was therefore not released from his attendance at the time of his arrest.

The *Chancellor of the Exchequer* doubted, in the first place, the power of a Committee to appoint a messenger. If, however, they had that power, his protection ought to describe him as a messenger, not as a witness. Otherwise a sheriff's officer might be involved in endless perplexities. For suppose a sheriff's officer met a man against whom he had a writ, going to Hampstead, and that man were to tell him, that he was sent on a message by a committee of the House of Commons, although the letter, which he might shew as his protection, was merely a summons as a witness before that committee, it would be hard to impose on the sheriff's officer the necessity of believing such a statement. It might perhaps be expedient to postpone the further consideration of this case, in order to afford time for deliberation.

The *Speaker* observed, that if the case were to stand over, it must be on the principle alone. No new circumstances could appear. In old times, even before the Revolution, it had always been held to be the undoubted right of the House of Commons to protect from arrest, witnesses summoned either to the House, or to a committee, in coming, staying, and returning. In his view of the present question, the character of Mr. Palmer as a messenger, seemed to be a secondary consideration. The House must first dispose of his quality as a witness; that he had been in attendance as a witness before the Committee, was clear: that he was not to return to the Committee in the capacity of a witness was also clear. The question for the House to consider was, whether Mr. Palmer was *bona fide* on his return home when he was arrested. If he had not taken a more than lawful latitude—if his departure from the direct line of his return was satisfactorily accounted for by the intervening act which had been described—the House would have to decide whether in that case they would cut short his protection, and by doing so, forbid their wit-

nesses from returning home by any other than the straight course.

Mr. Stephen was of opinion, that had the suspension of Mr. Palmer's return home been his own choice, he would not have been entitled to the privilege of protection; but it was evidently the act of the Committee.

Mr. Eden also trusted, that the House would consider the deviation of Mr. Palmer from the straight line of his return sufficiently accounted for, and that they would give him the benefit of protection.

The *Chancellor of the Exchequer*, if such were the wish of the House, expressed his entire acquiescence in it.

Sir J. Newport thought it enigmatical that two brothers, summoned to attend the same committee, should be arrested on the same day, and on writs issued by two different attorneys.

Mr. Wilberforce bore testimony to the character of Mr. Campbell. He understood that Mr. Campbell was a man of great worth, and considerable property. He had been a settler in New South Wales, but had been compelled, about eight years ago, to come over to this country to give evidence on a trial, and had since been involved in difficulties by the conduct of his agent. He repeated that he had undoubted authority for stating, that Mr. Campbell was a man of most unblemished character.

Sir A. Pigou thinking it desirable, that Grace, the sheriff's officer, should be called in,

He was accordingly called to the bar, and being examined by the *Speaker*, stated; that on Monday, at about half past four o'clock, he arrested Mr. Palmer in Charlotte street, Black-friars-road; that Mr. Palmer came to his house to enquire for Mr. Campbell; that he directed him to Hindson's; that he followed him to Hindson's; and that on coming out he served him with a writ; that Mr. Palmer shewed him a letter, requiring his attendance as a witness before a committee of the House of Commons, but that never having seen such a thing before, and the writ being of such a nature as to expose him to the greatest risk, in the event of Mr. Palmer's escape upon a false pretext, he had been compelled, with a view to his own security, not to allow Mr. Palmer to go.—The sheriff's officer having withdrawn,

Mr. Eden moved, that the privileges of the House be granted to Mr. Palmer, and

that he be discharged from arrest.—Ordered.

He then moved, that Grace, the sheriff's officer, be discharged from further attendance; which was also agreed to.

SICILIAN SUBSIDY.] The House having resolved itself into a Committee of Supply,

Lord *Castlereagh* rose for the purpose of proposing the annual vote for the fulfilment of the treaty of his Majesty with the King of the Two Sicilies. He did not feel that it would be necessary for him to go at present into any details upon a subject, the line of conduct upon which seemed so clear; but if any hon. member should require further information, he should be happy to afford it. It was now four years since this grant had first been proposed and adopted, and at this period, it would be quite superfluous for him to detain the House by a justification of the policy on which the treaty was founded. He flattered himself that those individuals who on former occasions had opposed the vote, would now concede their objections, for he had the satisfaction to state, that his Sicilian Majesty had effected an important change in his government and councils, equally favourable to his own and to the interests of Great Britain. The whole military establishment of the kingdom had been placed under the controul of lord William Bentinck, who would be enabled from the confidence that was reposed in him, and from the power with which he was invested, not only to apply the various means he possessed to the protection of the island, but even to aggression upon the common enemy. It would be almost condescending too far to attempt by any detail, to refute the foul calumny originated in France, that Great Britain had imitated the conduct of the ruler of that country in their treatment of the government of Sicily; that she had assumed all the authority of an independent state, for the purpose of appropriating to herself the resources and produce of the island of Sicily. The only design the British ministry had in view was, to discharge with strict fidelity the duties of an ally, whose anxiety was to stop the progress of an overwhelming tyranny, which would sweep away in its progress every vestige of liberty. With this design they felt themselves called upon, from circumstances of urgent necessity, for the protection not only of the independence of Sicily, but for

the security of our own army, to produce a change of the system of government; and in consequence of the representation of the British envoy for that purpose, every thing that could be expected had been conceded by the king of that island. In future, therefore, we might consider Sicily secure in itself, and as a spot from whence could be drawn most important means of annoyance to the common enemy. His lordship concluded by moving a resolution for the grant of 400,000*l.* to enable his Majesty to make good the treaty entered into with his Sicilian majesty.

Sir *John Newport* thought that a much more satisfactory explanation was due from the noble lord, on a matter of so much magnitude. He could scarcely believe that ministers, who on former occasions had thrust themselves forward as the friends and supporters of existing establishments, should now attempt to justify the subversion of that of Sicily. Did the noble lord mean to assert, that it was not true, that by means of the British authorities the king had been induced to abdicate his throne in favour of his son? Uninformed as he was upon the subject, judging only from appearances, he confessed that this proceeding did appear to him very similar to the conduct of Buonaparté, who forced the king of Spain to abdicate his throne in favour of his son Ferdinand, and then took advantage of it to claim Spain as his own property. To whom was this money now proposed to be voted, paid? and to what was it applied? These were enquiries, in the present condition of our finances, of much importance; but above all, the British government should take care to make it evident to all the world, that its conduct was not similar to that of our perfidious enemy, which had justly met with the reprobation of all who dared to be impartial.

Lord *Castlereagh* replied, that if parliamentary enquiry were requisite, the right hon. baronet was too well acquainted with the forms of the House to need information how complaints were to be brought forward. If such a step should be taken, his lordship was prepared to meet the most minute investigation. He was happy to assure the Committee that there was not the slightest ground for stating, that it was even at the suggestion, much less upon the demand of the British minister, that the King of Sicily was induced to abdicate his throne in favour of his son: how it could be called an abdication he was at a loss to imagine, since it was merely

a temporary delegation of power, which might at any time be resumed by his majesty—on the motives to this act his lordship would not give an opinion, but certain it was that it was wholly voluntary. The only claim made by lord William Bentinck was, that the king of Sicily should put his government upon such a footing as to make it compatible with the safety of the British army, that it should remain in the island. As on her part Great Britain was anxious to discharge her portion of the treaty, so on the part of Sicily it was expected that she should perform hers. With regard to the question, to whom the money was paid, and by whom it was applied, it would be sufficient to answer, that it was delivered to the king of Sicily and administered by his government. If, as it seemed to be required, a general explanation of the conduct and policy towards our ally were necessary, the transactions not only of the last, but of many preceding years, must be referred to; and although his lordship did not shrink from the investigation, he did not conceive that the present was the fit opportunity for entering upon it. By such a trial, he was confident, that the sterling metal of the national honour and character would only be rendered more bright and pure. That any comparison was to be drawn between the conduct of Great Britain and that of France it was ridiculous to contend, since while the latter had governed by lawless ambition, the former had been guided by unshaken fidelity. The steps taken by the government of this country were justified by the paramount necessity of the case.

Sir J. Newport again adverted to the resistance given by ministers to his suggestion on a former occasion, that Sicily should be governed by British authorities. Immediately afterwards, however, the British government was detected intermeddling with the organization and proceedings of the Spanish Cortes, and was now the declared promoter of a revolution in Sicily. It was perfectly obvious, without any assertion from the noble lord, that ministers were anxious to shun enquiry, for if enquiry were courted, when could a time be found more fit than the present for such a purpose? A full and complete exposition of their motives and conduct was due to the country, the purity of whose national character was sullied by an imputation of the blackest kind, which it was the duty of the government immediately to remove.

Mr. Wilberforce pointed out the distinction between the conduct of Buonaparté with regard to Spain, and of England with regard to Sicily. The pretended abdication of the throne of Spain procured by the former, was a mere hypocritical veil, under which he concealed his base and treacherous designs.

Mr. Stephen conceived, that the right hon. baronet had forgot the nature of former discussions on the subject. The objections then urged to the grant were, that it was impolitic to grant money while the peasants of Sicily were so oppressed by the noblesse, and that this country ought to insist upon a civil reformation in that kingdom, by the restitution of what was generally termed the rights of man. These objections had been most ably and eloquently answered by the right hon. gentleman (Mr. Canning), then Secretary of State, who had said—"He trusted the House would not desire that 10,000 men, with bayonets on their shoulders, should set about reformation; that he did not think they were the most proper philosophers to revolutionize a country, and teach the people the value of liberty." The hon. and learned gentleman deprecated the practice of adopting gross and ridiculous calumnies set on foot by the enemy, as being unworthy of consideration in that House. For the moment the House began to reason upon them, those calumnies were delivered from the ridicule which otherwise would attach to them. Was it not ridiculous to assimilate the conduct of Great Britain in respect to Sicily with that of Buonaparté towards Spain? The right hon. baronet wished for further information, but was it really necessary to satisfy Europe, that in rendering assistance to Sicily, the object of Great Britain was to annex the kingdom to the dominions of her ally? The change which had taken place was desirable, for it had averted the danger.

Sir J. Newport answered, that it was of the utmost importance not only that our national honour should be perfectly pure, but that it should be unsuspected even by our enemies. It was not fit that Great Britain should justify her injustice by asserting that the actions of France were of a blacker dye. The noble lord had maintained, that paramount necessity dictated our proceedings in Sicily: necessity was the tyrant's plea, and how many countries had Buonaparté taken possession of and over-run, on the ground that the

safety of his empire and the tranquillity of Europe required it? Many facts yet remained in the dark, doubtless, because they would not bear the light; among which was the banishment and reiteration of the barons suspected of intercourse with the enemy.

Lord Castlereagh re-asserted, that necessity alone had induced the British minister, not, as was supposed, to overthrow the system, but merely to make a representation to the king of Sicily against the existing form of government. The whole change that succeeded was voluntary, nor were the British authorities concerned in or responsible for it. During these transactions the conduct of lord William Bentinck had been not less remarkable for mildness and forbearance, than for a rigid execution of his instructions.

The *Chancellor of the Exchequer* remarked upon the triumphant tone in which the right hon. baronet had reminded the House, that his recommendation at a former period had at length been attended to by the alteration which had been produced in Sicily. If however the British government had not waited until the present time before it interfered, the object would have been defeated, inasmuch as matters were not until now ripe for the change accomplished, nor would it even at this time have been proper to have proceeded to the extent advised by the right hon. baronet in his former speeches. If it were questionable at this time whether interference were right, surely at any former period (before the danger which lately threatened the British army was apparent) it would have been most unjustifiable. He admitted the fitness of removing from the British character the greatest of all stigmas cast upon us by our enemies, namely, that we were actuated by the same principles that governed them, if that might be called government which acknowledged no law. He was surprised, however, to find, that the right hon. baronet was the instrument by which these unfounded calumnies were circulated.

Sir J. Newport maintained, that it was a totally different thing to make terms with our ally when he was independent, and when he had an army of 15,000 British soldiers in his territory. Perhaps upon enquiry, he should agree that it was important that the revolution should be accomplished; but he required, and the country required, that it should be made evident to all the world that such conduct

was justifiable. It was a very easy, though not perhaps a satisfactory way of answering arguments, to excuse the individual employing them of improper motives; under certain circumstances he might be proud of the disapprobation of the gentlemen on the other side of the House, more particularly when they endeavoured to deter him from the discharge of a public duty, which as a member of parliament he felt himself called upon to perform.

The *Chancellor of the Exchequer* answered, that the objection just made, that we ought to have treated with our ally while he was free, could not apply, inasmuch as, at the formation of the treaty, to fulfil which this grant was proposed, there was a British army in Sicily.

Mr. Bastard gave his vote for the grant, upon the explanation of the noble lord, considering that we were justified in interfering with the government of Sicily, in conformity with the provisions of the treaty, and that if necessity urged, we should take possession of that country by force of arms.

Mr. Hume stated some circumstances respecting the application of the grants of former years, from local knowledge, and justified the propriety in government abstaining from interference before.

The Resolution was then agreed to.

MR. CHINNERY'S DEFALCATION.] Mr. *Banks* adverted to the deficit in the account of a public officer in the Treasury, and recommended the adoption of some means of preventing in future the accumulation of frauds on the public.

The *Chancellor of the Exchequer* stated the accounts of Mr. Chinnery to have been of such a nature, that by balancing the surplus of some years, against the deficiencies of others, the appearance of the whole was so fair, that it was a matter of little surprise that the auditors had been deceived. The inaccuracies in them could only be detected by looking to the accounts for a considerable time back. These back accounts had been neglected; but latterly, an effort had been made to get them into a more regular and proper train. As there were a great many of these accounts to look to, it was a considerable time before the accounts of Mr. Chinnery were hunted, as it were, into such a corner, that it was hardly possible for the defaulter to escape. He did not deny that some blame attached itself to

which had been preying on them for so many years. But, in his opinion, there was nothing that could give a check to it but constant auditing. The two persons, who filled the situation of auditors, he had the greatest confidence in, he meant Mr. Thompson, third secretary to the Treasury, and Mr. Cotton, chief clerk under him; they were both fully capable of their office; but accounts ought to be oftener examined.

HOUSE OF COMMONS.

Thursday, March 26.

PETITION FROM GLASGOW RESPECTING THE EAST INDIA COMPANY'S CHARTER.] Mr. Houston presented a Petition from the Merchants House of the city of Glasgow, setting forth,

"That the Petitioners have, in common with other classes of his Majesty's subjects, been prevented from trading to the countries to the eastward of the Cape of Good Hope, in consequence of charters of monopoly granted to the East India Company; and that the Petitioners humbly beg leave to represent, that they are, by such charters, not only individually excluded from a most beneficial commerce, but they are deprived of privileges which they are proud to prize as their birth-right, and which, as no temptation could induce them willingly to relinquish, no payment is sufficient to purchase; and that, besides the manifest injury which such charters have produced on the efforts of individuals, they have necessarily had a similar effect on the national resources, which, under a free trade, must have become greatly more considerable than while the commerce is restricted and confined; the Petitioners, being convinced that such important truths cannot fail to produce conviction of the impolicy of any monopoly of the trade to India and China, look to the expiration of the present East India Charter with the confident hope of seeing a period put to any exclusive trade to those countries, and a wide field thus laid open to the capital, skill, and industry of British merchants and manufacturers; in this confident hope and expectation the Petitioners humbly pray, that no monopoly be granted of the commerce and navigation to the countries eastward of the Cape of Good Hope, but that the trade may be free and open, in the same manner as other branches of commerce, not only to the port of London, but to

all the other ports of Great Britain and Ireland."

Ordered to lie upon the table.

GOLD COIN AND BANK NOTE AMENDMENT BILL.] On the motion for the second reading of this Bill,

Mr. *Morris*, entertaining the same objections he had always professed to the measure in contemplation, which objections were still strengthened by the new clauses added to the Bill, could not forbear enforcing them again, even in that early stage of the measure. The Bill, as it stood, went to give to the paper of a company, the same currency as to the coin of the realm, and to make those notes a legal tender in every instance, without providing any additional security against forgery, or against any excessive issue which might, and would still further depress them. The system of paper circulation was not new, it had been at some period or other attempted by most nations in Europe, and its invariable consequence had been to entail bankruptcy on government, and ruin and misery on thousands of innocent individuals. The same effects might be expected, or at least apprehended, in this country, from the Bill then before the House; and it was the bounden duty of the representatives of the people to pause and consider, whether or not the present paper currency meant to be established was so far different from all others, as to avert the apprehension of those evils which experience had taught us to expect. He was not, however, so sanguine as to hope, that the provisions of the present Bill could answer that purpose. He saw no additional security against forgery, and while he was willing to do ample justice to the ingenuity of the means by which the Bank had contrived to protect themselves, he must observe, at the same time, that as those means were secret, that very secrecy, far from affording any additional security to the individual, only increased his perplexity. He could speak from personal observation as to the effects of forgery on a paper circulation; he had seen in France in the time of assignats, *bureaux de verification* erected at the corner of every street, where the trembling tradesman was forced to bring paper for inspection before he could think himself safe in delivering his goods. The same effects might be expected in this country, from the increase of forgery; for the loss to the individual was not the greatest evil to be expected from it, and

the effect it produced on the public mind, tended to depress the forced circulation tenfold. Against that evil, of momentous magnitude, the public had no means whatever of guarding themselves, even the endorsing of Bank notes was but a futile resource: and, in fact, no man, whatever might be his education, could be said to possess really the means of distinguishing a genuine from a forged Bank note. Adverting to the second point to which he had alluded, the security against an excessive issue, he thought that the Bill was equally deficient in that respect. To the directors of the Bank he gave full credit for ability and integrity. He was sure they were incapable of abusing the trust reposed in them; but the power with which they were thus invested was too great for them to wield; and they had not sufficient means of restraining the issue of their paper money within due bounds. From the view he had been able to take of this subject, he thought it would have been much better to let things remain as they were; at the same time, he lamented that the Report of the Bullion Committee, which he admired as much as any one, had not adverted to the state of the law as it then stood. He had already suggested the propriety of going into a Committee, to sift that matter to the bottom; and should such a measure be adopted, it might, perhaps, be thought advisable to raise the nominal price of gold coin, in the same proportion as bank-notes had been depreciated in comparison to it; there could be then no inconvenience in the Bank resuming its payments in specie. The measure was not so novel as might be expected at first sight; we had, in fact, already raised the price of coin by the issue of tokens, at a rate above their intrinsic value, and although they were not the standard coin of the realm, still they were received in exchange of those notes which were to be made legal tenders, and accepted in payment by creditors. The hon. and learned gentleman then alluded to the misfortunes brought on this country at former periods by the depreciation of the circulating medium, for which no remedy could be found but in a recurrence to the old principles. If the present Bill was ultimately to be adopted, he trusted that such provisions would be added as to protect the individual from loss, while it secured the regular service of government; but he should think that the only remedy to the impend-

ing evils would be found in the collected wisdom of the House assembled in a Committee.

Lord *A. Hamilton* read the third and fourth Resolutions of the Bullion Committee. By the third the Committee had declared, "that bank notes were to be considered as promissory notes for payment in gold." The fourth assumed, that, "in consequence they were held in estimation equal to the current coin of the realm." The noble lord argued that it was the height of inconsistency to proceed with the present Bill, with those Resolutions (diametrically opposite to its principles) standing on the Journals of the House, especially as it was intended to extend the Bill to Ireland.

Sir *John Newport* deprecated the idea of extending the Bill to Ireland, and conceived that the House was travelling the high road to ruin, which had been invariably the case with all countries in which a paper currency had been forced on the people. He begged the House to consider, besides, the grounds on which the measure was to be extended to Ireland. It was simply on a petition presented by a noble lord, without his having condescended to inform the House whether the petition was signed by landlords or by tenants—that was, whether it was signed by men who were willing to abandon some of the advantages they actually had by contract; or by men willing at any rate to acquit themselves of their debts at a cheaper rate. The Bill passed last session went far enough to alarm all men interested in the welfare of the country, but the present went far beyond it. It went, as it respected Ireland, to break a solemn covenant between landlord and tenant, by which the former was to be paid in gold, no matter at what price it was to be procured. He thought that this was a step too bold to be taken at once; and before the imperial parliament could think, under such circumstances, of extending the Bill to Ireland, they should have petitions from every part of that country, and know especially if landlords agreed to it. In another instance, Ireland, should the Bill extend to that country, was treated with evident neglect. He believed that the bank of Ireland was as solvent as any bank—as much so as the bank of England itself, and he could say no more in its favour. Yet, when it was intended to restrict the bank of England from paying in specie, it was thought necessary first to institute an in-

quiry as to it means of solvability. But, the same precautions were deemed useless when the Bill was to apply to Ireland. These were the grounds on which he objected to the Bill being extended to Ireland, especially in the thin state of the House; and in the absence of Irish members. He might add, that it had proved perfectly useless in this country, it being found impossible, as it always would be, to prevent the traffic in gold coin, or to keep paper in any country above a certain level, regulated by a variety of uncontrollable circumstances.

Mr. D. Giddy allowed the full weight of the principles laid down by his hon. friend (Mr. Morris); he saw that the measure proposed was attended with great difficulties; he might say, that it was dangerous, and wished that another had been proposed in its stead; yet, in the present circumstances, knowing it was desired by the public, he would not oppose it.

Mr. H. Thornton hoped that, before the Bill should pass, the gentlemen from Ireland, then absent, would come fully prepared to discuss its merit as affecting their country, in the way alluded to by the right hon. baronet. The nature of the Bill itself had been greatly changed by its extension to the sister-country. He was one of those who thought last session that the Bill would be incomplete if it did not extend to Ireland; but at the same time he had expressed a positive wish for full information, before that step should be taken. It had appeared since, that a practice existed in Ireland of receiving gold in payment of contracts, at a difference in price from the paper circulating medium. The difference was stated by some at 22 or 25 per cent. against paper. It followed of course, that the landlords and other holders of such contracts, would be injured by the Bill in that very proportion. This was a step perfectly novel in legislature; and should the Bill pass, it would turn out that a man, a tenant for instance, now bound to pay 122*l.* by virtue of a special contract, would be authorised by parliament to pay only 100*l.* Indeed the measure was one of such manifest injustice, that he thought government must have had some secret and powerful motive to propose it. Probably they meant to destroy altogether the standard on which people were enabled to judge of the depreciation of paper currency, which standard was kept up by the price of gold coin in Ireland. A standard more imperfect would

still exist, it was true, in the course of foreign exchanges; but this was not within the reach of every one; and by keeping from the view of the people the true standard of value to which they had been long accustomed, ministers would be able to carry their system of delusion to almost any length. It was as necessary to the welfare of society to keep always in view the standard of marketable value as well as any other; as for instance, the standards of weight, length, and capacity for the sale of goods; and by taking away the standard of gold coin for marketable value; no scale would be left on which prospective bargains or contracts could possibly be executed. Notwithstanding all these weighty objections, he was willing to let the Bill go into a Committee, in hopes that they might be discussed with better effect, but without pledging himself any further. He hoped above all things that in the Committee another standard of marketable value would be recognised besides paper currency.

Lord Castlereagh did not think it necessary to enter at large, for the present, on the merits of the Bill. He admired the ingenuity of the hon. gentleman who had just sat down, but his arguments did not carry conviction, because he always fell short of the object in view; he pointed out evils, which he magnified, but never suggested a remedy. The noble lord did not see that the extension of the measure to Ireland was attended with such insuperable difficulties, as to deter parliament from completing a system deemed necessary for the prosperity of the empire. He should deceive the House, were he to deny that difficulties existed; but they were not of the nature represented. He must, for instance, contradict the idea which seemed to have been entertained, that a double price for goods, the one in gold coin and the other in paper, existed all over Ireland. It was said, indeed, that the traffic in guineas was pretty general throughout that country; as it was in England. This could not be denied. But there were not generally two prices stipulated in a contract; the practice, on the contrary, was, in that respect, the same as in this country. The question, therefore, as to payments in gold stipulated by contract in Ireland, was reduced to three or four counties, which stood as an anomaly, and in which the practice of stipulating for payments in gold had long subsisted. But, even in that case, the

question had been very much narrowed of late; for within eight, or seven years at least, bargains had uniformly been made for payment in notes. There remained only rents, for which, according to the old system, payment was to be made in gold. In this the only difficulty existed; and whatever measure the House thought fit to adopt, the noble lord was sure that it must be attended with some sacrifice of individual interest. As to the signatures to the Petition he had presented to the House, and which had been so often alluded to, he could assure the House, that some of the gentlemen who had signed, were connected with the first landed interest in the neighbourhood of Belfast; others were not so, they were not landlords, but he could take upon himself to say, that all were actuated by the same motives—the interest of their country; nor could their tardy application to the legislature for a redress of that grievance, be considered as proof that it was not severely felt. At first, gold coin could be procured at a premium of about two per cent. perhaps through the means of the landlord's agent himself; and this might be considered by the tenants as a *douceur*, to which, under all circumstances, they were willing to submit. But, now, from the operation of foreign exchanges, and, as he would urge the matter to the House, from an act of parliament itself, preventing the bank of England from making payments in gold, tenants could not procure guineas but with the utmost difficulty, at the rate of 25 per cent. It would be for the House to consider, whether or not the enormous loss of 25 per cent. now sustained by the tenants, was in contemplation of their original contract, when they consented to pay a small *douceur* to the landlord or his agent, and whether or not they were exposed to that unforeseen loss by circumstances over which they had any control. To a loss of 2 per cent. they might have cheerfully consented, but the enormous discount which they were now obliged to pay, was a grievance entitled to some consideration. He would not take upon himself to say what measures should be adopted in such circumstances; he only wished to enforce on the House the propriety and necessity of applying the same measures to Ireland as to the other parts of the empire. They should not lose themselves in minute details about localities, but proceed on the broad basis of the general interests of the united kingdoms.

Several gentlemen had, like himself, expressed a wish last year, that the measure then intended for England should also extend to Ireland. He did not conceive, that the peculiar situation of three or four counties could operate as a bar to the wish then expressed, and which he considered as consonant with the prosperity of these realms.

Mr. W. Smith was against the Bill, even in this stage, as he did not think it capable of amendment in a Committee. It was another step in that system which, if they argued from analogy to all the other nations in which history informed them similar courses had been pursued, they must be convinced could only terminate in the utter ruin of the country. It was said that the measure was popular; but he denied the capability of the persons out of doors to form a proper judgment on a subject, which was not fairly presented to their understandings. And it was for the wisdom of that House to correct the errors into which those who did not look so deeply into the matter might and must fall. Not as would seem to be the opinion of his hon. friend (Mr. D. Giddy) who would agree to a measure which he was convinced was not right, because the people liked it; as if, '*Si populus vult decipi, decipietur.*' He was astonished that his hon. friend could lend himself to so ruinous a deception. There were one or two objections to the present Bill, which struck him as so weighty, that he was surprised it could have been at all entertained by the House or the country. It went, to all intents and purposes, to make bank notes a legal tender; for the only difference was, if a man could afford to wait '*ad Græcas Calendas,*' that was, till the Bank returned to payments in specie, which the present measure would lead to the protraction of for ever. His sincere and perfect belief was, that it would end in national bankruptcy. For all history shewed them that such had been the tendency of similar practices in other nations, and did not afford them one solitary instance to the contrary. To add to this moral certainty of the result, our national debt had increased, and was increasing, and with that increase the advance of the price of all commodities. They were told, if this step was insufficient, they must take another; and what must that step be?—to make bank notes at once a legal tender. And should this also fail in effect, what remained to be done? They must compel all per-

sons to bring their commodities to market at fixed prices, or they must return to the point from which they had unfortunately departed some years ago, and they must return to it against the increased difficulties which would be thrown in their way, if they agreed to the present measure. He laid no stress on the confined issue of bank notes, as there was no criterion to judge by, whether that issue was too great or not; neither did he think this matter ought to be left to the discretion of the bank directors, however respectable they were. The measure was prospective: and they could not answer for directors 30 years hence, in whom government might be as much mistaken, as they had been in those in whom they reposed trust at the period of the South Sea Bubble. With the same capital they had when they issued 12 or 13 millions, they now issued double that amount—and had, consequently, a double profit, while the risk lay with the country. They might proceed to issue 40 millions—and still the country be obliged to take these notes, without their being guaranteed by the government. But if government did not guarantee these notes, they had no right to make them a legal tender. Between individuals, such an act would be almost a fraud; and in a government, it was an egregious act of unjust violence. Was the system of “I promise to pay” to be carried on for ever? When would this end, and what would be the consequences? If the Bank got into any intermediate difficulties, and was not able to pay in specie, the government must allow it to go on longer paying in paper; the end must be bankruptcy.—With respect to Ireland, there was one circumstance which must strike every one in regard to the extension of the measure to that country. Whatever measure they might adopt after the enquiry they had had, as to guaranteeing the bank of England, would any man say, that the House had on its table sufficient information as to the bank of Ireland, or sufficient parliamentary grounds to warrant them in guaranteeing its issues? If they did not, why tell the people of that country that they must and should take their notes? If they did not, had they any documents to justify themselves in undertaking this responsibility? As the measure was unique and isolated in itself, so was the mode in which it was conducted in the House. It reminded him of the sentence in *Shakespeare*—“Things ill-begun make strong

themselves by ill.” There had only been three prosecutions last year connected with this subject, and to compel payments in specie; and he maintained that this was no inconvenience to warrant a step of that fatal tendency they were now called upon to take. He therefore opposed the second reading of the Bill.

Mr. *Wellesley Pole* would not go into the general question, but confine himself to that part of it which regarded Ireland. He collected from all sides, that it was not disputed that the measure of last session met with general approbation, and was looked at by the country with a very favourable eye. If this were true, and it was a measure resorted to for the protection of the subject, was it not natural to desire it to be extended to Ireland? The only reason why it had not been extended to that country last session, had been justly stated by his noble friend (lord Castle-reagh). It arose from the anomaly existing in that country, which rendered it necessary to allow time for investigation, and for learning the actual state of the case. This anomaly, in having two prices, one for gold and the other for paper, did not, however, extend so far as was supposed. It was confined, as the noble lord had stated, to part of one province out of the four into which Ireland was divided. His noble friend had also fairly explained the nature of the difference arising out of the two per cent. formerly paid for the purchase of guineas by the tenant; but the original cause might not, perhaps, be so generally known. It arose from the weavers having, for some reason or other, refused, soon after the establishment of the bank of Ireland, to take their notes in payment for webs. This rendered it necessary for landlords to guard themselves by the adoption of the practice in question, and the traffic in guineas had gone on till the price of gold became so much higher, in comparison with paper, that the evil remedied itself, and the practice was altogether abolished, except what remained between landlords and tenants. The exaction of gold for rent had, of late, become so crying an evil, that if it had not been for the measure of last session, and the prospect held out that it would soon be extended to Ireland, they would have heard such a cry from the North, to protect the tenant against the landlord, that no government could resist it. In what condition, he asked, would they be, if they (the Irish tenantry) were exposed to the

caprice of any avaricious landlord, while they protected the people here? It would be said, in Ireland, that when one solitary instance of a landlord's wishing to exact this mode of payment occurred, the legislature, as it were, by acclamation, hastened to extend their protection, while they left the people of Ireland to suffer, as they now did, in many parts of the north. He would not now enquire, whether the measure was right and politic for England; but if it was thought right and politic in this country, he demanded it equally for Ireland. He did not wish to disguise the fact, that it would be an inconvenience on landlords, who had let their lands to be paid in gold, and he would be ready to lend himself to any remedy that might be proposed to accommodate the interests of this class, who were, however, only an exception to the general rule. The inconvenience, too, it ought to be recollected, would be nothing, when compared with the evils remedied. He had understood an hon. gentleman, to insinuate some suspicion of the solvency of the bank of Ireland.—(A general cry of No! no!) Was it so or not?—(Mr. Smith signified that it was not.) Then he would not press the subject, but conclude, by saying, that he would be as ready to guarantee the bank of Ireland as the bank of England. There did not exist the slightest suspicion against it; and, he was sure, the honourable men who conducted its direction, would, at all times, be ready and willing to submit to the strictest examination and scrutiny the government or the House should think proper to institute.

Mr. *Giles* shortly opposed the second reading of the Bill, on the ground of its making bank notes circuitously a legal tender. Mr. *Burke* had said that these notes were of value on the Royal Exchange, because they were of no value in Westminster-hall; but this measure went to reverse the case, and make them of more value in Westminster-hall than any where else. He conceived it would be much better to make them a legal tender at once between man and man, than through the intervention of courts of law and attorneys.

The *Chancellor of the Exchequer* maintained that the measure was calculated for the protection of the liberty of the subject, who, but for this Bill, was in his person liable to the payment of a debt in gold, which, so long as the Bank restrictions continued, it was not in his power to ob-

tain. The emptiness of the House had been frequently alluded to in the course of the evening. He ascribed it to an understanding which had gone forth, that it would be most proper to debate the question, with regard to its extension to Ireland, after the recess. The hon. and learned gentleman who opened this discussion, had confessed that it was quite impossible to leave the currency of the country as it now was—of course he could not oppose their going into a Committee on the subject, to see what currency was possible to be made. They had also heard a great many general arguments, tending to prove, that by the system now pursued, the country was in the high road to ruin. This mode of reasoning was not only applied to the present Bill, but had been applied to every circumstance and occasion since the period when the Bank restrictions were imposed. Yet those prophecies had turned out to be false and groundless, which he hoped would be equally the fate of the predictions now poured out upon them. He could not help being surprised at his hon. friend's (Mr. *Thornton*) notion of the beneficial effects to be derived by Ireland from keeping up a practical standard, by double prices, of the relative values of gold and paper currency. He could not think such a standard so desirable, as that it should be maintained to the great injury of the country. And, after all, what kind of a standard was it? One unsettled and fluctuating, from 5 to 20 per cent. at the pleasure of the landlord in this or the other field—on this or on the other side of the hedge. Much had been said of the examples afforded by the history of nations, of the fatal and ruinous tendency of all such systems as that now embraced in England. But he contended, that there never had existed an instance in point; and he defied any gentleman from those histories to show him a case, in which the paper currency of any other country bore the slightest analogy or resemblance to that of Britain. It was absurd and most ridiculous to compare them together, or bank notes to the assignats of France. These assignats, within two years after their first issue, had exceeded, by a hundred-fold, all the issues of the bank of England during a long period of years. They had, therefore, the experience of a number of years, from 1797, when the restrictions were imposed, to convince them, that there was not the slightest danger of an excessive circulation to

ruin the country.—“But,” said an hon. gentleman (Mr. Smith), “after this measure is passed, and thirty years hence, when you may not have such provident and honourable directors of the Bank as at present, the evil will increase.” Why could not parliament, as they had done, continue to superintend the issues of the Bank? During the last year, they knew the fact to be, that, so far from an increase, a diminution in the circulation had taken place, and they had no reason whatever to fear any danger from the sudden inundation of the country with bank paper during the recess. There was no danger of directors, heretofore so prudent, running all at once into a directly opposite line; there was no hazard of an indefinite issue to ruin the country in the manner described in the histories referred to. The whole of the issues here amounted to about one-third of the annual revenue of the country paid into the Exchequer.—Had they an instance like this in any history of any other nation, where, if he might use the expression, the paper currency was thrice, in the course of one year, disgorged to the government? But all this train of argument appeared to be mere idle declamation, and nothing could possibly be more absurd than to make these comparisons between things utterly dissimilar. He trusted the House and the country would therefore agree with him, that something of the kind now proposed was absolutely necessary for the protection of the subject. In framing the measure, they would, of course, direct their attention as much as possible to the prevention of evils arising from forgeries, and to save the people from being liable to receive them in payments. It appeared, from the account laid on the table, that this evil had not grown to an enormous magnitude, in comparison with the vast sum of 23 millions in circulation. The forgeries amounted, during the last eleven years, to about 9 or 10,000*l.* a year, including a number of foreign notes rejected at the Bank; and this was perhaps not more than a circulation to a similar extent in gold and silver would suffer. From the vast foreign expenditure in which the nation was engaged, they were, no doubt, in difficulty, which it was the object of this measure to meet in what appeared to be the most advisable way.—But if they took the advice of gentlemen on the opposite side of the House, and called on the Bank to resume its payments in specie, then indeed, it

might justly be said, that they were throwing widely and directly open the door to national ruin and bankruptcy. It was their duty to make the best selection they could for the country, and not reject a measure merely because theoretical objections could be urged against its perfect expediency, while it was allowed, on all hands, that some step was necessary, and no other, at all feasible, was suggested.

Mr. Ponsonby said, he had no intention of going at large into the question now, but as he had been absent during the discussions it underwent last session, and had no opportunity of delivering his sentiments at that period, he was anxious in a few words to express his firm conviction, that so far from this measure being calculated to promote the permanent interests of the country, it was calculated to bring the country to ruin. The right hon. gentleman opposite, had said that the predictions made on former occasions, when this system began, and at various points of its course, of the progress to ruin in which it would involve the country, had never been fulfilled. At the time when the Bank restrictions commenced in 1797, many persons had indeed spoken in very strong terms, as men were apt to do, of the utter ruin attendant on such a course. For his part he had never used this strong language—but there were many intermediate stages between the injury and utter ruin of a country. In his opinion, all the predictions since 1797, in opposition to that of the right hon. gentleman, had been substantially fulfilled. The supporters of the measure had declared their belief, that the Bank would soon open again, and resume its payments in specie. This had been denied, and the contrary affirmed, viz. That the Bank would never pay in gold so long as this law lasted. Which of these predictions had been verified? Some years ago, when the price of gold rose so high, and the course of exchange became so unfavourable, owing to the excessive issue of paper, it was said, on the one hand, that this mischief would be still worse; which, on the other hand, was denied. Whose prediction, in this case, he would again ask the right hon. gentleman, had been proved right? Their difficulties had increased. They were in a worse condition last year than ever they had been before. How, then, were their predictions falsified? The right hon. gentleman had told them, that no issues in other countries had ever resembled those of this. He agreed with

him on this point—none had ever exactly resembled.—It was therefore, that the progress of the mischief had been and would be slower in this country than in any other. But its progress was, nevertheless, inevitable, and in the nature of things. It was true, if our foreign expenditure was much decreased—if our issues from the Bank were more provident and wise than they had been, the evil might be deferred; it might even disappear; but then, it must be a cessation of that system which the right hon. gentleman held to be necessary for the safety of the country. But though there was no exact resemblance between the paper currency of other countries, and that of Britain, there was, in many points, an agreement. There was an agreement in principle. The excessive issues from the Bank had rendered that company unable to fulfil its engagements to government and to the country. The Bank was, thereupon, compelled to put paper into issue to such a degree, as in its connection with government, caused that paper to become a government paper, and a forced government paper too!—It had nothing to pay its dividends with, but this forced government paper. The good sense of the country, the attention of parliament, and the good management of the directors of the Bank, might also add to those causes, which would retard the progress of the evil that had been predicted; but still, in principle, it resembled other countries, and the consequences were unavoidable. With regard to the extension of the measure to Ireland, there were one or two circumstances to which he begged leave to call the attention of the House. Ireland being much poorer than this country, and having a less capital, it might be supposed that when the bank of England could no longer make its payments in gold, the bank of Ireland must have been in a similar state. But the direct reverse was, to his own knowledge, the fact. At the time the bank of England suspended its payments in specie, the bank of Ireland was as competent, ready, and willing to pay in gold as it had ever been.—When the intimation was received from the government in this country to stop these payments, the surprise was as great as had ever been excited. This he considered as one of the most just criterions by which to try the real state of the bank of England at that time and since. The right hon. gentleman had endeavoured to throw a ridicule upon an hon. gentleman for his

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opinion on the value of the practical standard existing in Ireland, to ascertain the real state of the depreciation of the paper currency. But the right hon. gentleman was altogether in error in supposing, that this standard varied from 5 to 20 per cent. on either side of a hedge, according to the pleasure or caprice of this or that landlord. That was not the case; and the rate per cent. never depended upon the will of any landlord. The capital of the country was the standard. In Dublin the buying and selling of gold was as common as that of broad cloth, or any other article. Much of it was bought for England, from whence a considerable proportion of it was, he believed, exported, and a considerable portion of it hoarded. Though he hoped he would be acquitted of being guilty of much egotism in that House, or of being apt to speak of himself, he would briefly state a circumstance of which he had been an eye-witness, to shew that it was this traffic which formed the standard, and not the fancy of landlords, as imagined by the right hon. gentleman. On the day he sailed for London, he went into one of these shops in which gold is purchased and sold in Dublin, and while there, a country woman came in to dispose of 11 or 12 guineas. She asked what was the premium, and was informed 5s. 6d. on each guinea, with which being satisfied, she received that sum in bank of Ireland notes, and the fractional parts in tokens. The person of the shop having gone out, another stated to him (Mr. P.) that the woman had been paid too little, as the premium ought to have been 6s. on each guinea. On the return of the shop-keeper, he had exchanged with him bank of Ireland notes for those of the bank of England, at the ordinary rate of exchange, which at that time amounted to about one penny, or three-halfpence in the pound. This was a decided proof of the depreciation of paper, in comparison with gold, and that the rate of that depreciation was as well ascertained in Ireland as the price of meat or bread. His advice, then, was—to let the thing take its own course with the two prices. The Bill, if he understood it right, went to enact, that if a debtor was sued, and paid the amount in Bank-notes into court, the creditor was compelled to receive them and pay costs. But suppose A owed B 100*l.* on bond, and was desirous to pay the money and get rid of the interest, A could not force B to re-

(P)

ceive the payment in 100*l.* Bank-notes; and must continue to remain B's debtor, and pay him interest. This seemed to him to be a great absurdity. It was said, the measure was necessary;—he knew not the circumstances that made it so: it had not been called for by Ireland, save in one Petition from Belfast, presented by the noble lord, and he was convinced if that was looked into, that the signatures would be found to be more connected with the commercial than the landed interests. It had also been said, that there were oppressive landlords—he did not doubt but there might be persons of this description, but he could not think this a sufficient reason for forcing the currency of a country out of its natural state. There would be many inconveniencies in applying the measure to Ireland, as the circumstances of that country were very different from this. English gentlemen were not aware of the great difference that existed. In England, for instance, there were few perpetual leases, but in Ireland there were a great many. Numbers of gentlemen found their lands let for 900 or 999 years, and to compel them who had so little revenue out of their property, to receive it in depreciated paper, would be to subject them to great loss, and indeed to leave them scarcely any thing. Upon this class of private gentlemen, therefore, the hardship would be very great; for their situation did not at all resemble that of landlords in this country, whose leases were only for a few years, and who at every new bargain had a remedy in their own hands. The matter, as it affected Ireland, would be found, when they came to the committee, to be most complex and difficult, and the injustice to certain individuals greater than persons in this country could have any notion. He would give his negative to the second reading of this Bill, because he opposed it in principle, and this was the proper stage for that opposition. It was said to be popular, whether truly or not, he could not say. If popular here, however, he might assert, it would not be popular in Ireland; and he was convinced its popularity in this country arose from its nature and tendency not being understood. In his opinion, it was a most pernicious measure, and he would reserve to himself the right of contending against it hereafter, when it was subjected to more mature discussion.

Mr. *Marryatt* thought that the measure would be a great oppression to the landlords of Ireland.—He had heard from hon.

gentlemen it was not making Bank-notes legal tenders. He would contend that it had the effect, that of carrying out of the country all its coin. The Bank had told them that a dollar was worth 5*s.* 6*d.* No man was more aware of the use of paper credit than he was, but he wished it to be so restricted as to have a full security.

The House divided. Ayes 61; Noes 16. Majority 45.

List of the Minority.

Babington, T.	Moore, P.
Busk, W.	Newport, Sir J.
Colbourn, R.	Ponsonby, G.
Combe, H. C.	Romilly, Sir S.
Folkestone, Lord	Westerne, C. C.
Giles, D.	Whitbread, S.
Johnstone, G.	TELLERS.
Langton, G.	Morris, E.
Marryatt, J.	Smith, W.
Martin, N.	

Adjourned to Tuesday, the 7th of April.

HOUSE OF COMMONS.

Tuesday, April 7.

PETITION FROM BLACKBURN RESPECTING THE ORDERS IN COUNCIL.] A Petition of several inhabitants of the town of Blackburn, in the county palatine of Lancaster, was presented and read; setting forth,

“ That the Petitioners beg leave to address the House in consequence of a Petition having been transmitted to the House from several inhabitants of the said town and neighbourhood, particularizing many grievances which those Petitioners are stated to labour under, and praying for a revocation of the Orders of Council, that the advantages of the East India trade shall be enjoyed without exclusion or limitation, and especially that measures towards the pacification of Europe may become the subject of the immediate deliberation of the House; and that, feeling for the credit of the town of Blackburn, and disapproving of many of the sentiments conveyed by the said Petition, they should consider themselves wanting in duty to the House, and also personally to themselves, were they not to state to the House, that the Petition to which they allude is not sanctioned by the inhabitants of the town at large, that it originated with individuals, by whom it was privately prepared, that the signatures to it have been industriously obtained by lodging the Petition in different parts of the town, where persons have been employed to procure

them; and that many of the persons subscribing the Petition have been induced by a representation that it would lead to a termination of the war, and without any consideration whether peace was attainable, except on terms which would probably produce our own subjugation; and that, though the Petitioners are anxious for, and deeply interested in, the revival of commerce, which by many is thought to have been greatly checked by the Orders in Council, yet, as they cannot fully see how far these Orders may bear upon and thwart the political views of our implacable and insidious enemy, they presume not to express a wish that the Orders should be rescinded, but trust that the united wisdom of the House will adopt such measures as may ultimately tend to the national prosperity; and that, though the Petitioners conceive that an open and unrestricted trade gives rise to a liberal competition, a generous emulation, and an increasing activity and exertion, yet they think it indecorous to dictate what ought to be done, in full confidence that the House will comply with the general wish respecting the East India Company's charter, and consult the general welfare; and that they lament, in common with the Petitioners before-mentioned, the horrors and calamities occasioned by war, and would be grateful for a re-establishment of public tranquillity; but, at the same time, they have the firmest reliance that no opportunity will be lost, or endeavours wanting, to cultivate a friendly intercourse with the united states of America, and to procure a general peace, upon terms of honour to the crown, being fully convinced that it is the earnest desire of the Prince Regent to relieve his Majesty's subjects from the burthens of an expensive war, to extend commerce, and to augment the prosperity and happiness of the kingdom."

Ordered to lie upon the table.

PETITION FROM THE SHIP BUILDERS OF LONDON RESPECTING THE EAST INDIA COMPANY.] Mr. Marryatt presented a Petition from several ship-builders in the port of London, setting forth,

"That an attempt having been made, in the year 1795, to legalize Indian built ships, the jealousy and fears of the various classes dependant on ship-building in that port were so much excited and alarmed, that they petitioned the legislature against the Bill which had been brought into parliament for that purpose; and that the

Petitioners were at that time informed the measure was to be limited and temporary, and accordingly an Act, the 35 Geo. 3, c. 115, was passed, authorizing, during the last war, and for eighteen months after its conclusion, ships not British built, arriving from the East Indies on account of the East India Company, to enter inwards and outwards if such ships were actually built within the Company's territories; and that similar attempts having been subsequently made, some of the Petitioners applied, in 1797, to his Majesty's then government on the subject, when they received the most positive assurances that the regular and China trade of the East India Company should be confined to British built ships; and that under this persuasion, and convinced of the sincerity of the assurances so given to them, the Petitioners were enabled to quiet the alarms of the industrious persons before-mentioned, who had at that time formed meetings, and had entered into resolutions expressive of their fears and dissatisfaction of the measure; indeed, the impression which it appeared to have made on their minds was such as if their existence depended on its total relinquishment and suppression; but on a pledge being given to them by the Petitioners, in conformity with the explanation they had received from his Majesty's then government, that the measure was partial and temporary, and that the Company's regular trade would be continued in British built ships, these artificers and others were pacified and prevailed on to return to their respective employments; and that, in perfect confidence and reliance on the solemn assurances so given to the Petitioners, they did not entertain any apprehension that further encouragement or extension would be given to the employment of Indian built ships by the East India Company beyond the partial and limited admission of them under the statute before-mentioned in their irregular trade, which is the first instance of the legislature recognizing, as the Petitioners believe, of Indian built ships; they therefore observed, with astonishment and dismay, the recent extension of India built ships in the Company's general service; and that the Petitioners beg leave to state, that they understand the East India Company have formed a systematic plan of building and equipping ships in the East Indies for their regular trade, and that, under some specious pretext or other, they have already taken up several Indian

built ships for that service, besides giving encouragement for the building there of ships of lesser tonnage for sale in Great Britain; and the Petitioners have reason to believe, that in furtherance of this system, many sets of workmen, particularly rope-makers, taking with them the machinery now used in that manufacture, have quitted this country for India, where, in a few years, they will disseminate the knowledge they possess, to the manifest injury of the trade of this country; and that the fears of the Petitioners were increased from having found, in the course of 1809, that, by a clause introduced into an act of parliament, embracing other objects, which was passed in 1802, namely, 42 Geo. 3, c. 20, sec. 6, the admission of Indian built ships to entry in Great Britain, as before stated, has been extended, to continue in force during the Company's monopoly; and that it is under this Act the directors have taken up the Indian built ships before-mentioned for their regular trade, notwithstanding the reasons alleged by them in their third report of the 25th of March 1802 on the private trade, of the impolicy of employing ships of that description, and the Petitioners beg leave most respectfully to refer to the serious facts therein stated in favour of the employment of British built ships in the Company's service; and that the Petitioners were not aware of any intention to extend the provisions of the Act, first before-mentioned, otherwise they would have appealed to the legislature, on the latter occasion, for that protection which they now most humbly solicit of the House; and that, under these circumstances, the Petitioners, with the greatest deference and respect, venture to appeal to the House, as the crisis appears to them to have arrived when it is to be considered, whether the extensive establishments which have been formed within the port of London for ship-building, mast-making, rope-making, sail-making, and the various and numerous branches of trade and manufacture connected with them, in which are employed so many thousand individuals of the most estimable classes in a maritime country, are to be sacrificed to the interests of the settlers in India, and to a mistaken notion of economy which will ultimately prove as prejudicial to the Company as ruinous to the state; and that the Petitioners humbly presume it will be admitted that these establishments are not the production of a few years, but that they have gradually risen

with the trade and naval power of the country; and that on them, in a great measure, must depend their continuance, as the private yards, especially those in the port of London, are the great nurseries for the King's yards, yielding on the commencement, and affording in the progress of a war, a continual supply of able-bodied men for the public service, and, on the return of peace, an asylum for them when discharged from it; and that the Petitioners refrain from further observation on the impolicy of the introduction of Indian built ships into the Company's regular service, and into the general trade of the country, and of having extensive marine establishments in the East, which must inevitably conduce to that species of colonization which has already proved so disastrous to Great Britain, it being evident, that the building equipment and employment of such ships will reverse the natural order of the Indian trade, estrange the affections of the persons engaged in it from the mother country, make India the commencement and termination of their voyages, and lay the foundation of a system which will render more equivocal and precarious the continuance of British influence and British power in that quarter of the globe; and that the Petitioners humbly hope that the legislature will, in future, confine, by statute, the regular and China trade of the East India Company to British built shipping, and that the permission granted to the East India Company by 42 Geo. 3, c. 20, sec. 6, may not be renewed or continued after the expiration of the period limited by that Act."

Ordered to lie on the table.

PETITIONS FROM PAISLEY, GLASGOW, KIRKALDY, AND KILMARNOCK, AGAINST THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the magistrates and common council of the town of Paisley, in council assembled, was presented and read; setting forth,

"That the charter of the united company of merchants of England trading to the East Indies being soon to expire, the Petitioners presume to express their sentiments on a subject peculiarly interesting to that populous and manufacturing district of the country, as well as to the nation in general: and that they, in common with the rest of their fellow subjects, conceive that they have a right to a free trade with all parts of the British empire, and other countries in amity with the

united kingdom; and they are humbly of opinion that the great object of all legislative regulation in the commercial concerns of the country is the protection of this equal right in the subject, and the further extension of a just and legitimate commerce, and that therefore all monopolies, which exclude the general body of the people from this commerce, are a violation of their natural rights and privileges; and, that, of the injurious consequences attending all attempts at an exclusive traffic, the Petitioners have good reason for concluding the present monopoly of the East India Company affords renewed evidence, it being not only prejudicial to the general interest of the country, but also, if they are rightly informed, unprofitable to the Company itself, whose capital, there is strong reason for believing, is by no means adequate to so extended a trade; and that, in the present depressed state of the manufactures and commerce of that part of the united kingdom, every measure of assistance that the House can afford, ought to be exerted, and the Petitioners look up with confidence, and indulge the most anxious hope, that partial considerations will not be permitted to sacrifice and set aside their most serious and important interests; and that, from these and various other considerations, the Petitioners do humbly and earnestly pray, that the House will adopt measures for the total abolition of the commercial monopoly of the East India Company at the expiration of their present Charter, or at least that such monopoly may not be permitted to deprive British subjects of those privileges allowed to neutral nations; and that the charter, if renewed, may be made subject to such modifications and conditions as may be best calculated for promoting the commerce and manufactures of the united kingdom."

A Petition of the bailies and trustees of the united towns of Port Glasgow and Newark, was also presented and read; setting forth,

"That under the present pressure upon the trade of this kingdom by its inveterate enemy, the Petitioners do conceive that every possible relief should be given to the mercantile and manufacturing concerns upon which depend, in a great measure, the finances of the country; and that a free trade with the British possessions in India, and with the other territories east of the Cape of Good Hope and west of

Cape Horn, offers a very considerable substitute for what the enemy has shut up from this kingdom in Europe; and that the United States of America, and other countries in amity with his Majesty, have long enjoyed the privilege of trading to our India possessions, from which our fellow subjects have been excluded; and that whatever political or other reasons may have heretofore existed for such an exclusion, the Petitioners presume that the present period of distress calls loudly for an effectual removal of that exclusion upon the termination of the present charter of the East India Company; and praying the House to adopt such measures as may give relief in this respect to the subjects of this realm."

A Petition of the trades house of the city of Glasgow, was also presented and read; setting forth,

"That from the present depressed state of the commerce and manufactures of this country, arising from the very limited channels for exportation, owing to the continental restrictions lately laid thereon, the Petitioners have observed with deep regret the shock which the trading and manufacturing interests of the united empire has thus sustained, and the consequent state of distress and poverty which many thousands of their constituents employed in the manufactures of that city and neighbourhood, as well as the manufacturers and artizans throughout the kingdom, have been reduced to without any immediate prospect of being soon restored to their former situation; and that, impressed with these feelings, and being convinced of the baneful effects resulting from whatever tends to cramp the mercantile and trading interests of this kingdom, the Petitioners take the liberty of suggesting, and earnestly recommending to the serious consideration of the House, the policy of discontinuing the privilege or monopoly hitherto enjoyed by the East India Company, of trading to all those countries comprehended between the Cape of Good Hope and the straits of Magellan exclusively, to the prejudice of all the other subjects of the empire; and that, as the inhabitants of the United States of America, and indeed the subjects of every other government in amity with this country, enjoy free commercial intercourse with the British possessions in India, the Petitioners consider it a hardship, bordering on injustice, that the subjects of

this kingdom should be burdened, to a certain degree, with the expence of the naval and military establishments for defending those possessions, while they are deprived of that free commercial intercourse which is enjoyed by foreigners; and that if, therefore, a free trade with the large proportion of the population of the globe, comprehended under the exclusive grant to the East India Company, were to be afforded to the mercantile talent and capital of this empire, the Petitioners are hopeful that a channel would thereby be opened up, which would not only baffle the attempts of our insidious and inveterate enemy, but give useful and profitable employment to mercantile capital in general, and thereby in a great degree give relief to the labouring and at present distressed state of the manufacturers and artificers of this kingdom; and praying the House to adopt such measures as may render it lawful for any of his majesty's subjects, from and after the expiry of the East India Company's present Charter, to carry on, from any of the ports of the United Kingdom, a free and equal trade with the countries between the Cape of Good Hope and the Straits of Magellan."

A Petition of the provost magistrates and town council of the royal burgh of Kirkcaldy, in council assembled, was also presented and read; setting forth,

"That as the Charter under which the East India Company enjoy an exclusive trade to the countries lying to the East of the Cape of Good Hope, and to the West of the Straits of Magellan, will expire at no distant period, the Petitioners are desirous to draw the attention of the legislature to that subject; they feel themselves particularly called on to do this at the present time, when their manufacturing and shipping interests, as well as those of their fellow subjects, are suffering the severest pressure from the Continental restrictions imposed by the enemy, and other causes necessarily connected therewith: and that at this enlightened period the petitioners conceive, that it is unnecessary for them to state at any length the injurious effects and general inexpediency of commercial monopolies, or the advantages that would result to the trading and manufacturing interests of this kingdom, were the extensive and populous countries above-mentioned laid open to the industry and mercantile enterprise of all the sub-

jects of this empire; and they beg leave shortly to express it as their opinion, formed on deliberate consideration, that no monopoly whatever should be granted or continued which may have the effect of precluding the merchants and ship-owners of this kingdom, in every port thereof, from enjoying all the benefits of a free trade with every country to which the British Flag is admitted, subject always to such regulations as the government and legislature may deem just and expedient for national purposes; and that the Petitioners hope for further indulgence while they suggest two considerations in relation to this subject, which appear to them to have strong claims to attention: first, that to many of the countries comprehended under their exclusive charter, the East India Company have never traded, and to which their limited capital will never permit them to extend their connections in trade; it seems therefore difficult, if not altogether impossible, to assign any good reason why other persons and other capital belonging to the same country should not be allowed at any rate to do that for which the present monopolists are inadequate; second, the subjects of States in amity with his Majesty, and particularly those of the United States of America, have for a number of years past enjoyed the freedom of trade with the countries alluded to, while the subjects of Great Britain and Ireland have been excluded from that privilege, or at least the privilege to which the private trade is admitted, is fettered with such restrictions as to render it in a great measure nugatory; and that the Petitioners are totally unable to reconcile this arrangement with any principle of justice or good policy, and they cannot for a moment doubt the readiness of the legislature to remove so just a ground of complaint, while the removal of it would tend to greatly promote the commercial and political interests of the kingdom; and praying the House to take this subject into serious consideration, and to adopt such measures in respect thereof as shall most effectually serve to open new markets for the decaying manufactures and commerce of the nation."

A Petition of the magistrates and council of the town of Kilmarnock, in the county of Ayr, was also presented and read, setting forth,

"That the inhabitants of Kilmarnock, in common with those of other manufac-

turing towns, have for some time past experienced much inconvenience, and been subjected to many and severe privations, from the stagnation of trade; and that, considering this stagnation to arise in a great degree from the unprecedented measures resorted to by the government of France, for excluding our commerce from the continent of Europe, and believing the war in which the country is engaged to have been forced upon it, and that the government of the United Kingdom has no alternative but to persevere, and bring it to an honourable conclusion, the Petitioners have hitherto submitted, and will continue cheerfully to submit, to those privations; and that, whilst this is their determination, and whilst they observe that France is about to extend her anti-commercial regulations, the Petitioners cannot but consider it as a most fortunate occurrence that the existing charter of the East India Company is about to expire, because the legislature will thereby be enabled to open up the trade to India, and thus a ready channel will be found into which the capital and enterprize of the British merchant in general may be turned with advantage, it is humbly conceived to the kingdom at large; and that the adoption of such a measure will afford great relief to the manufacturing interest, and counteract so far the designs of the enemy, now peculiarly levelled against our trade; and that the Petitioners feel it would be improperly consuming the time of the House, were they to enter into any lengthened detail on the subject, the more especially as the matter is very fully and ably discussed in several applications from the first commercial bodies, now lying on the table; and praying the House to take the subject into serious consideration, and either to open up the trade to India and China generally, by refusing to continue the commercial monopoly of the East India Company, or to do so to such extent at least as may afford some vent for a free trade, which will have a most beneficial effect, the Petitioners are convinced, on the commercial concerns of the nation."

And the said Petitions were ordered to lie upon the table.

PETITION FROM MAYO RESPECTING THE ROMAN CATHOLICS OF IRELAND.] Colonel Dillon presented a Petition from the Freeholders of the county of Mayo, praying the extension of a constitutional privilege to their Roman Catholic fellow subjects.

He stated the Petition to have been resolved upon unanimously, by one of the largest county meetings he ever remembered to have taken place in that county. This was no inadequate criterion of the general sense of that county in favour of the Catholic claims, the freeholders of which exceed eleven thousand. He stated also that the Sheriff who presided at the meeting had signed the Petition. The Petition was then read, setting forth,

"That, at the time of his present Majesty's accession to the throne of these realms, the laws in force against his Roman Catholic subjects of Ireland deprived them of most of the rights of Irishmen, and of several of the common rights of mankind; that, by the acts of 1778 of the Irish Parliament, recommended by his Majesty, Roman Catholics were empowered to vest the fruits of their industry in landed property, from which auspicious period the Petitioners observe the improvement of that country, in its agriculture, in its commerce, and in all the enjoyments and improvements of social life: immediately after this repeal followed a war between England and France, when, the whole army being withdrawn from Ireland, its defence was necessarily intrusted to its own people, of which his Majesty's Roman Catholic subjects form so considerable a proportion; they, in common with their fellow subjects of every other persuasion, stood forward a volunteer army for its defence, at a time when there was a French navy, and a power of invading their country, and did by so standing forward, as is known, prevent an invasion of Ireland; some years after, in the 32d and 33d years of his Majesty's reign, by the special recommendation of his Majesty to his parliament of Ireland, a further relaxation of those restrictive laws against Roman Catholics took place; they were admitted by the legislature to vote at elections for members of parliament, and thereby to derive political power and consequence from that land which the former liberality and good sense of the legislature had allowed them to acquire; they were allowed to hold most of the employments of the law and the revenue; they were allowed to hold commissions in the army and navy; most situations of honour and emolument were opened to them; from which period the Petitioners have seen talents added to the war, and strength and efficiency to the army; they have seen the triumph of British armies officered by Roman Catho-

lics; they have seen the triumphs of the British navy increased: and they have seen as conscientious a discharge of all public duties performed by Roman Catholics of Ireland, in all situations, as by any other classes of his Majesty's subjects: those restrictive laws are to the present race of Protestants matter of history only, none of them having been enacted during his present Majesty's reign, or by any Protestant now alive; with the progressive repeal of those laws they have seen the energies of this empire raised to a pitch of glory unequalled in the page of history; from this experience they see with concern any remains of those laws making distinction between the Roman Catholics and Protestants of Ireland; and they humbly pray that the House will take into their consideration the wish and prayer of all classes and religious descriptions of that country, that a total repeal of every test, oath, declaration, or provision, which has the effect of subjecting Roman Catholics to any disability whatever on account of religious persuasion, may be repealed, and that the genius talent and energy of the whole of this empire be called forward for its safety in these times of unexampled difficulty; and that, in arranging this great and salutary measure, the Petitioners leave it to the wisdom of parliament to connect with this final settlement and conclusion of restrictive laws such adequate provisions for the maintenance of the civil and religious establishments of that part of the empire as may be deemed necessary, convinced as they are that such may be done with the strictest adherence to the tenets and discipline of the Roman Catholic religion; and that, on this basis of mutual satisfaction and security, it is the earnest prayer and advice of the freeholders of the county of Mayo, that all the rights of the civil constitution of this country be extended to his majesty's Roman Catholic subjects of Ireland."

Ordered to lie upon the table.

PETITION FROM THE EAST INDIA COMPANY FOR LEAVE TO PRESENT A PETITION FOR THE RENEWAL OF THEIR CHARTER.] Mr. Mills presented a Petition from the united company of merchants of England trading to the East Indies, setting forth,

"That, by an act of parliament made and passed in the 33d year of the reign of his present Majesty, intituled, 'An Act for continuing in the East India Company for a further term the possession of

the British territories in India, together with their exclusive trade, under certain limitations, for establishing further regulations for the government of the said territories, and the better administration of justice within the same, for appropriating to certain uses the revenues and profits of the said Company, and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay; reciting, that it was expedient that the exclusive trade of the Petitioners, within the limits of their charter, which, by an act made in the 21st year of his Majesty's reign, for establishing an agreement with the Petitioners, and other purposes, was continued to them for a term thereby limited, should be further continued to them and their successors, under certain limitations and restrictions, for a term of 20 years, to be computed from the 1st day of March 1794, liable to be discontinued at or after the end of such period, upon three years notice previously given by parliament for that purpose; and that during the said further term all the territorial acquisitions obtained in the East Indies, which, by an Act made in the 7th year of his Majesty's reign, for establishing an agreement for the payment of a certain annual sum, for a limited time, by the Petitioners, in respect of the said acquisitions and the revenues thereof, and by subsequent acts, were continued in the possession of the said Company, together with the territorial acquisitions then lately obtained there, with the revenues of the same respectively, should remain in the possession of the Petitioners, without prejudice to the claims of the public or of the Petitioners, subject to such powers and authorities for the superintendence, direction, and controul over all acts, operations, and concerns which related to the civil or military government or revenues of the said territories, as had been then already made or provided, by any act or acts of parliament in that behalf, and to such further powers, and under and subject to such other rules, regulations, and restrictions relating to or concerning the said Civil Government, and the appropriation of the said revenues, as should be then made and provided by the authority of parliament; it was thereby enacted that the said territorial acquisitions in the said former acts mentioned, together with the territorial acquisitions then lately obtained in the East Indies, with the revenues

thereof respectively, should remain and continue in the possession of the Petitioners for and during the further term by that Act granted to them in the said exclusive trade; subject nevertheless to the several regulations and provisions in that Act contained; and by the said Act his Majesty was empowered to nominate, constitute, and appoint, during his pleasure, such members of the privy council, of whom the two principal secretaries of state and the chancellor of the exchequer for the time being should always be three, and such other two persons as his Majesty should think fit to be, and who should accordingly be and be stiled, Commissioners for the Affairs of India; and the said board of commissioners were by the said Act invested with such full power and authority, to superintend, direct, and controul, all acts, operations, and concerns, which in any ways should relate to or concern the civil or military government or revenues of the said territories and acquisitions in the East Indies; subject nevertheless to such directions, rules, regulations, and restrictions, and to such appropriations of the said revenues as were by that Act made, provided, and established; and it was further enacted, that the Petitioners and their successors should have, use, and enjoy, and should continue to have, use, and enjoy, the whole sole and exclusive trade and traffic, and the only liberty, use, and privilege of trading, trafficking, and exercising the trade or business of merchandize into and from the East Indies, and into and from all the islands, ports, havens, coasts, cities, towns, and places between the Cape of Good Hope and the Streights of Magellan, and limits in an Act made in the 9th year of the reign of king William the third, or in a certain charter of the 5th day of September, in the 10th year of the same king, mentioned, in as ample and beneficial manner as the Petitioners could thereby or otherwise lawfully trade thereto, subject nevertheless to the several limitations, conditions, and regulations, in that Act contained, and also subject to the proviso thereafter contained for determining the same, any former act or acts, matter or thing, to the contrary notwithstanding; and it was further enacted, that the Petitioners should at all times thereafter (subject as aforesaid) have, hold, and enjoy, and be entitled unto all, and singular the profits benefits and advantages privileges franchises abilities ca-

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pacities powers authorities rights remedies methods of suits penalties forfeitures disabilities provisions matters and things whatever, which by any former act or acts of parliament, or by any charter or charters founded thereupon, or by any clause or clauses in the said acts or charters contained, were enacted given granted provided limited established or declared, to for touching or concerning the Petitioners, either by the name of 'The General Society entitled to the advantages given by an act of parliament for advancing a sum not exceeding two millions for the service of the crown of England,' or the body politic and corporate called by the name of 'The English Company trading to the East Indies,' or the body politic and corporate called by the name of 'The United Company of Merchants of England trading to the East Indies;' and not by that act, or any other act then in force, repealed or altered, according to the tenor and true meaning of the said acts and charters, and of that act, freed and discharged from all provisoes and conditions of redemption and determination in any former act or acts contained, and the same and every of them were and was thereby ratified and confirmed, and to continue to be held and enjoyed, and be practised and put in execution by the Petitioners and their successors, for the better or more effectually settling and securing to them and their successors the whole sole and exclusive trade to the East Indies and parts aforesaid, and for the preventing trade thereto contrary to the true intent and meaning of that act, and for securing also their possessions estates and effects, and governing their affairs and business in all respects as fully and effectually as if the same profits benefits advantages trade privileges franchises abilities capacities powers authorities rights remedies methods of suit penalties forfeitures disabilities provisions matters and things were severally repeated and at large re-enacted in the body of that act, subject nevertheless to such restrictions covenants and agreements as were contained in the said acts or charters then in force and not therein or thereby repealed varied or altered, and subject also to the several enactments conditions limitations and provisoes in that act contained; and it was thereby further enacted, that at any time, upon three years notice to be given by parliament after the 1st day of March which would be in the year of our

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Lord 1811, upon the expiration of the said three years, and upon payment made to the Petitioners of any sum or sums which, under the provisions of any act of that present session of parliament, should or might, upon the expiration of the said three years, become payable to the Petitioners by the public, according to the true intent and meaning of such act, then and from thenceforth and not before or sooner, the said right title and interest of the Petitioners to the whole sole and exclusive trade to the said East Indies and parts aforesaid should cease and determine; and it was thereby further enacted, that nothing in the said proviso last thereinbefore contained, or in any proviso in the said act of the 9th year of king William the third, or in the said charter of the 5th day of September in the 10th year of his reign, or in any other act or charter contained, should extend or be construed to extend to determine the corporation of the Petitioners, or to hinder prevent or preclude the Petitioners or their successors from carrying on, at all times after such determination of the right to the sole whole and exclusive trade as aforesaid, a free trade to in and from the East Indies and parts aforesaid with all or any part of their joint stock in trade goods merchandizes estate and effects, in common with other the subjects of his majesty, his heirs and successors, trading to in and from the said parts or limits; and by the said act it is enacted, that for and during so long time as the Petitioners should be entitled to the whole sole and exclusive trade and traffic into and from the East Indies and other places within the limits of their charter, subject to the provisions regulations and limitations in that act contained, the clear profits arising from the said territorial acquisitions and revenues in India, after defraying the charges and expences of collecting the same, should be applied and disposed of to the uses and purposes therein mentioned and expressed; and also that, during the continuance of the exclusive trade to the Petitioners, the net proceeds of their sales of goods at home, with the duties and allowances arising by private trade and all other profits of the Petitioners in Great Britain, after providing for the payment of bills of exchange then already accepted by the Petitioners, as the same should become due, and for the current payment of other debts interest and other outgoings charges and expences

of the Petitioners, their bond debt always excepted, should be applied and disposed of in the manner therein mentioned as by the said act, relation being thereunto had, may more at large appear; and that the notice required by the said act of parliament hath been given by the Speaker of the House, for determining the exclusive trade of the Petitioners on the 10th day of April, 1814; and that, since the said act was passed, further territorial acquisitions, yielding a large revenue, have been obtained by the Petitioners, and such acquisitions have been annexed to the several governments of the Petitioners in the East Indies, and sundry debts, to a large extent, beyond what are mentioned in or referred to by the said act, have been incurred by the Petitioners, in the defence and protection of the British possessions in India, and by reason of wars in which the British nation has been engaged with European powers; that such debts bear interest, and some of them are due in the East Indies, and others of them have been discharged by the Petitioners, by means of money raised on their credit in this country, under the authority of parliament; and that, by virtue of the terms of the obligations for other part of such India debt, further sums, to a large amount, will be payable shortly in this country, for which purpose it will be necessary for the Petitioners to raise a further sum of money here; and that the system established by the said act, for the government of the territorial acquisitions in the East Indies, for the management of the revenues thereof, and for the general conduct of the affairs of the Petitioners, hath been approved by experience; but the appropriations made by the said act of the profits arising from the territorial revenues in India, and of the profits of the Petitioners at home, appear to the Petitioners to be inapplicable to the present state of the Indian debts and resources, and of the concerns of the Petitioners; and that the Petitioners believe that it is undeniable that the exclusive trade carried on by the Petitioners has been a great positive advantage to the nation; and although they do not presume to state, as an incontrovertible fact, that greater public benefit would accrue from its being continued in its present state than from its being any further opened, yet the Petitioners do venture humbly, but confidently, to assure the House, that the trade with China could not be opened in any degree

without extreme danger; and that, if it should not be seen fit to enlarge the term now held by the Petitioners in the whole of the trade which they now enjoy without qualification, the Petitioners are ready to submit to such regulations as shall be just, and as parliament in its wisdom shall enact, for the conduct of the commercial intercourse of his majesty's subjects with those places which are within the exclusive limits granted to the Petitioners; and that, on account of the length and variety of the matters necessary to be considered and prepared in relation to the subject of this Petition, the Petitioners were unable to prepare a Petition, praying leave to bring in a Bill or Bills relative to the Indian territories and trade, until the time limited for presenting Petitions for private Bills was expired; and praying, that leave may be given to present a Petition to the House, for bringing in a Bill or Bills for continuing the possession government and management of the territorial acquisitions in the East Indies in the Petitioners, subject to regulation, and for altering the appropriations of the profits arising from the Indian revenues; and for enabling the Petitioners to raise such sums of money, or to contract such pecuniary obligations as their affairs may require, in respect of the payment in this country of debts originally contracted in India; and for settling the trade to the East Indies and China, and other places, from the Cape of Bona Esperanza to the Straights of Magellan, or that the Petitioners may have such other relief as their case may require."

Ordered to lie upon the table.

On the Motion that leave be given to present a Petition as desired,

Lord A. Hamilton rose, not to oppose the motion, but to ask a few questions of the right hon. the Chancellor of the Exchequer with respect to transactions of public notoriety, which had taken place since the House last met. At a meeting of the proprietors of East India stock, it was asserted, that the right hon. gentleman had been understood to have pledged himself to four points—first, an exclusive trade to China: secondly, the supply of whatever monies might be wanted for the service of the company, for two years; thirdly, the confining all Asiatic importations to the port of London; and lastly, the giving up to the Company the controul of the army in India. If

the right hon. gentleman had not given pledges on these points, he should be glad to hear him contradict what had gone abroad; but if he had pledged himself, he could conceive nothing more disrespectful to the House, than thus to bind himself to measures without previously laying them before parliament.

The Chancellor of the Exchequer thought that nothing that had passed at the East India House, or between himself and the directors, could at all fetter the proceedings of parliament. He had thought it his duty, before he brought a subject of such importance before that House, to form his own opinion on it, and preparatory to submitting a measure to parliament, some correspondence with the directors of the East India Company had to him appeared necessary. Before a Bill was brought in on the subject, he had thought it proper to communicate to them what was the bearing of his mind on certain propositions involved in the question. That he had done so he thought was no mark of disrespect to the House, and no breach of his public duty. With respect to any particular opinion that he might have expressed, if it should appear that he had taken an erroneous view of the subject, the sanction of the House could be withheld, and the propositions he might submit to them, it would be for them to reject; but at present he did not conceive he had a right to be called upon by the noble lord, or by the House, to state what those opinions were, or at all to discuss the subject, when they could not go on with the discussion, so as to make it lead to any practical result. He hoped the House would not call for his opinion on this subject, and that the noble lord would think it no disrespect to him that at present he declined to reply to the question he had put. He would now only state that he had taken a most erroneous view of the subject, if it was a breach of duty on his part to communicate with the directors of the East India Company, or if it was disrespectful to parliament to endeavour to form an opinion himself on the merits of the question, before he brought it under their consideration.

Lord A. Hamilton complained of having been misrepresented by the right hon. gentleman. He did not say that he was wrong in forming any opinion he pleased, or communicating with the East India Company on the extension of their charter; he merely wanted to know, whether he,

as minister, had made the pledges before alluded to.

General *Gascoyne* said, that he should suffer no opportunity to pass without pressing upon the House the injustice of the regulations said to be connected with the renewal of the charter. Those regulations were injurious to the out-ports, and directly contrary to the articles of the Union with Ireland. He never could conceive that it could enter into the contemplation of government to make all ships coming from Asia discharge their return cargoes in the port of London. To-morrow he should make a motion, founded on the papers made public in another quarter. He should, however, previously move, that those papers be laid before the House.

Mr. *Houarth* complained of the delay which had taken place in the negotiations between the Board of Control and the Directors. From the 13th of February, 1809, for two years and ten months, it appeared that no communication had been had between them.

Mr. *Wallace* could not give an official answer to the question of the last speaker. He, however, proceeded to explain that which had been noticed, and was understood to say, that though he did not know that any official correspondence had taken place within the period alluded to, yet there had been communications and discussions on the subject. Some delay had occurred in consequence of its being thought desirable to wait for the Report of the Committee on the Finances of the East India Company. With respect to what had been said by the noble lord of the concessions which had been made by his right hon. friend, he thought they were answered by those very proceedings on the report on which he had founded his statement, as it had there been stated, that all was conceded on the part of the company, while nothing was secured in return. The papers for which the hon. general intended to move, were papers to the production of which he did not know that any objection would be made, but he thought the motion at present might be premature.

The Petition was then presented and read; containing the like allegations as the last preceding Petition; and praying, "That leave may be given to bring in a Bill or Bills for continuing the possession, government, and management of the territorial acquisitions in the East Indies in the Petitioners, subject to regulation, and

for altering the appropriations of the profits arising from the Indian revenues, and for enabling the Petitioners to raise such sums of money, or to contract such pecuniary obligations, as their affairs may require, in respect of the payment in this country of debts originally contracted in India, and for settling the trade to the East Indies and China, and other places, from the cape of Bona Esperanza to the streights of Magellan, or that the Petitioners may have such other relief as their case may require."

Mr. *Creevey* begged to ask, what course it was intended to follow on this occasion.

The *Chancellor of the Exchequer* said, that the Petition would be referred to a Committee of the whole House, and that certain Resolutions would be proposed to the Committee.

General *Gascoyne* moved for Copies of all Correspondence which had taken place between the Board of Control and the Directors of the East India Company, respecting their present charter.

Mr. *Wallace* had no objection to the production of the papers.

The Papers were ordered accordingly, and will be found in the APPENDIX to this Volume.

SCARCITY OF PROVISIONS IN IRELAND.]

Sir *John Newport*, after adverting to the scarcity of grain and other provisions which existed in many districts of Ireland, and to the necessity of preventing the distillation from grain in that country, moved for a general return of all the grain, malt, meal, and flour exported from Ireland, from the beginning of the present year to the latest period at which the same could be made out.

Mr. *Wellesley Pole* did not rise to oppose the motion, but to state that he had not altered the opinion he had already expressed on this subject. He was convinced that there was no real scarcity of provisions throughout Ireland. The apparent deficiency was merely local, and arose from exports; but, at the same time, he allowed that it was the duty of government to allay the fears, however unfounded, which the people of Ireland entertained. With this view he intended to move, to-morrow, for leave to bring in a Bill to prevent the exportation abroad of Irish made spirits; and he also intended to move in the Committee of Ways and Means, for an additional duty on those spirits imported to any part of the em-

pire. The right hon. gentleman then went over the comparative price of potatoes, and other articles of first necessity, in various counties from the 14th of January to the 8th of March, and concluded with asserting, that the advance in price had been but trifling.

Mr. *Latouche* was of opinion, that it would be expedient to take into consideration the policy of putting a temporary stop to the distilleries.

Sir *J. Newport* said he had been informed, that the distillers had sent to Mr. *Pole* exaggerated accounts of their stocks of grain, and in confirmation of which he read part of a letter.

Mr. *Shaw* of Dublin said, that the alarming price of provisions in Dublin had excited a strong sensation, so much so, as to induce the magistrates to make representations on the subject to the lord lieutenant, with a view to the adoption of some measure of relief. He agreed that the stopping of the distilleries now would be unjust, but thought they might be prevented from commencing again, as usual, in September, and that they ought to be obliged to suspend their work until the January following. Such a measure would, in his opinion, be sufficient to relieve the apprehension of scarcity.

Mr. *Parnell*, from all the information which he had been able to procure, was not of opinion that any sound apprehension could be entertained of a scarcity. It had been stated to him, that in many parts potatoes were still sold at 4d. per stone, which certainly could not be called dear. The fact, he believed, was, that the deficiencies were local, and fully compensated by the abundance of other parts of the kingdom. The evil, he conceived, was one that would naturally remedy itself, unless this effect should be counteracted by the activity of magistrates, or the government.

The *Chancellor of the Exchequer* said, the subject was of the highest importance, and if there was really a prospect of scarcity in Ireland, it deserved their immediate consideration. He hoped the House would keep in mind, that the information they were possessed of was at present very defective. It appeared that in many parts there was great abundance, and the mischief chiefly arose from the difficulty of transporting provisions from one part to another. The House would therefore be cautious how they stopt the exportation of provisions from Ireland to England. As to the stoppage of the distilleries in

Ireland, it was to be considered, that if we stopt them where they were legal, we gave advantage to those which were illegal; which, while it would be no saving of the quantity of human food, would in a very material degree injure the revenue.

Mr. *Pole*, in answer to the observations of Mr. *Shaw*, stated, that the Irish government had received no information which could lead them to think there was a general scarcity. On the contrary, his opinion was, that there was plenty of grain, and that the increase of price and consequent alarm was owing to certain outrages and speculations which had taken place. If there was any apprehension of a general scarcity, he could assure the hon. gentleman that government would take any step which might be necessary, even were it the total stoppage of the distilleries; but as that was not the case, he thought they should not proceed to do what must injure the revenue, and the agriculture of the country.

The motion was then agreed to.

HOUSE OF LORDS.

Wednesday, April 8.

PEASANTRY OF IRELAND.] Earl *Stanhope* adverted to the situation of the peasantry of Ireland, who, he stated, were by the operation of the tythe laws (as was also sometimes the case in this country) compelled to pay rent two, three or four times over. For the purpose of relieving them from this distressing situation he had prepared a Bill, which he proposed to present to their lordships tomorrow se'n-night; and therefore moved, that the lords be summoned for that day.—Ordered.

TOLERATION.] Earl *Stanhope* also observed, that he wished to call their lordships' attention to another very important subject. With respect to persons holding certain religious tenets, there were two opinions, the one that they should be admitted to hold civil offices, and the other that they should be disqualified from holding offices; but both parties were agreed in the justice of toleration. Upon this latter point, however, in consequence of some recent circumstances, many Protestant Dissenters, and even some members of the established Church, were liable to much oppression, to relieve them from which, he had also prepared a Bill, but thought it better not to name a day for

chants, all the islands of the Indian ocean, together with such parts of the continents of Asia and Africa, as to the wisdom of the House may seem expedient."

Ordered to lie upon the table.

CAPTURE OF CIUDAD RODRIGO.] The *Chancellor of the Exchequer* said, that since the Vote of Thanks had been passed in that House to the officers and men who assisted at the capture of Ciudad Rodrigo, he had learned that the names of major-general Henry Frederick Campbell, major-general the hon. Charles William Stewart, major-general Baron Low, major-general James Kemmis, major-general William Borthwick, and colonel William Maundy Harvey, brigadier-general in the Portuguese service, were omitted in the said motion; he therefore moved the like thanks to them; which was agreed to.

EXPORTATION OF IRISH SPIRITS.] The House having gone into a committee of the whole House, to consider of the Exportation of Spirits from Ireland,

Mr. *Wellesley Pole* said, that he rose for the purpose of moving a Resolution to prevent the exportation of spirits made from grain in Ireland, for a time to be limited. The object of the Resolution was to prevent the exportation of Irish made spirits to foreign markets, in consequence of the high price of provisions in Ireland at the present period. In considering the situation of that country, there were but four measures which suggested themselves for adoption. The first was, to prevent the intercourse between this country and Ireland; the second, to stop the distillation from grain in Ireland; the third, to stop the export of grain from Ireland for the supply of our armies; and the fourth was that, which he felt it his duty to recommend to the committee, as there were many objections to each of the others, which he was persuaded, many gentlemen would concur in thinking sufficient to prevent their being resorted to. The measure now submitted to the committee was unquestionably a smaller evil than any other, and was nothing more than stopping the exuberant grain of the country from being converted into spirits, in order to be sent abroad—he was aware, at the same time, that it would create a considerable disappointment to many meritorious persons in Ireland—he meant those distillers, who, by their exertions, had established a beneficial trade to Portugal

And other places, but he trusted that their good sense would show them that this measure was resorted to, to beat down the high price of provisions, and to prevent the distress which arose from that circumstance. He hoped, therefore, that this proposition would be found effectual when coupled with some others which he would have to propose, but if he should be disappointed, it then would be time enough to adopt some other mode of proceeding. The time to which he proposed to limit the operation of the Bill which he proposed to bring in, was the 31st of December, and it would be modelled in the same manner as the Bill for prohibiting distillation from grain in England, but it would vest in the Lord Lieutenant a power to permit the exportation of grain after the 1st of October, if he should deem it expedient, or to continue the provisions of the Bill for 40 days after the opening of the next session of parliament. It was also his purpose that the measure should commence from this day, as otherwise large quantities of corn might be sent out of the country before the Bill could take effect, but care would be taken to prevent any injury being sustained by any individual, as he proposed to empower the commissioners of the revenue in Ireland to hear any case and grant such redress as they might think just. He concluded by moving, "That it is expedient to suspend, from and after the 8th day of April 1812, for a time to be limited, the exportation from Ireland to parts beyond the seas, spirits made or distilled in that part of the United Kingdom from corn or grain."

Mr. *Stewart* said, that the object in view would, in his opinion, be better promoted, by the stoppage of distillation from grain altogether, and it would, besides, mark the attention of the Irish government to the wants of the people.

Mr. *Curwen* thought it surprising that government did not go into a general consideration of the resources of the country with respect to its supplies of corn, after the quantity that was annually imported. He thought that a rise on the price of grain would insure a constant supply, and two bushels more on the acre through the country would give an abundance. Ministers should have a more accurate view of the whole agriculture of the country, and would by that means have it in their power to adopt some general measure instead of those temporary expedients now resorted to. He wished to God, for the

sake of the health and morals of the people, that an additional duty was laid on spirits, which would oblige them to make use of the wholesome and nutritious beverage of porter.

Mr. *Shaw* of Dublin said, that it was impossible for him to allow this measure to go forward, without entering his protest against what was likely to prove so injurious to the whole body of the distillers of Ireland. It would, in the first place, throw a great superabundance of spirits into the country; and in the next place, he thought they should be very cautious how they interrupted a trade which was likely to be so beneficial. Another measure offered itself, which, he thought, would have a better effect; namely, the stopping of distillation after a certain time. It was to be considered too, that large contracts had been entered into, and this measure would throw a damp on all enterprise or speculation, for which reasons he felt it his duty to dissent from the Resolution.

Sir *John Newport* said, that no man could more heartily concur in any measure, which appeared likely to obviate the difficulties or distresses of the people than himself, but he could not help considering the present as inefficacious. Some documents should be before the House to enable them to form a correct judgment, and to make it manifest that there was no danger from illicit distillation. The right hon. mover had last night stated from the commissariat returns, the prices infinitely lower than the market prices in the adjoining district, which was certainly no great proof of their accuracy. He was far from wishing to oppose the present measure, except on the ground that it led the House to suppose that they had applied a remedy, where, in truth, they had not. If the prohibition of distillation from corn took place, there would be no suffering, because the distillation in a great measure took place from raw corn, which could be brought to market, and was still applicable to other purposes.

Mr. *Parnell* said, he concurred in opinion with the hon. member for Dublin, that this measure would not diminish the consumption of grain in the distilleries, but alone injure the distiller. The right hon. gentleman had wholly omitted, in his opening statement, to shew in what manner it would realize the declared object of it. For his part, it seemed to be quite plain, that the distilleries being compelled

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by law to work off nearly as much spirits as it was in their power to make, the same quantity would continue to be made—and that the only result of the Bill would be, to lower the price of spirits in the home market, by shutting up the foreign one. The right hon. gentleman had stated very candidly, that his principal object was to allay the apprehensions which prevailed; but if he really believed that those apprehensions were groundless, he should abstain from a measure which must injure the distillers. He ought to remember that they have necessarily purchased grain at the late very high prices, calculating on being able to obtain a sufficient recompence, by fulfilling the orders they had received for sending spirits abroad—and that, if this vent is taken from them, they will probably sustain a very heavy loss. He ought also to recollect, that if such loss can alone be attributable to the interference of parliament, they will have a just claim upon parliament for an adequate compensation. The right hon. gentleman should also consider, that his measure will deprive Ireland of the benefit of a newly established trade, which promised to be of the greatest advantage to her—for it could not be expected, that the distillers would again undertake all the risk and expence of retaining their trade, if the just reward of their skill and industry was thus suddenly and capriciously taken from them. At the same time, the hon. member begged the committee would not suppose, from these observations, that he, as others did, wished the government to stop the distilleries altogether—on the contrary, he gave credit to them for the accuracy of the statement of the quantity of provisions in the country, and believed that it was altogether unnecessary for them to interfere.

Mr. *W. Pole* replied to the different objections urged against the proposed measure, many of which he was quite surprised to hear. It was said that no relief would follow, as the quantity exported was not so great as to cause any difference in the price of corn; but he could state, that the quantity exported had been from 1-4th to 1-5th of the whole quantity of spirits distilled in Ireland; and it had been increasing during the last six months. He was not so sanguine as to expect all the relief he wished from this measure; but it was a little unfair to say that it was absurd on the face of it.—One hon. gentleman had spoken of it as unjust to the

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distillers, but parliament was not bound to consider the interest of a certain number of individuals at the expence of the community. He spoke also of not opening the distilleries so soon; but government could not be expected to adopt what would prove injurious to the revenue. As to the contracts entered into by the distillers, the very moment the law passed, it would operate in bar of any demands against the distillers; and if that was not the case, he was prepared to bring in a clause to secure them in this respect, as it was not his wish to take any unfair advantage of the distillers.

Mr. *Grattan* said, that when the question was, whether distillation or exportation should be prohibited, he thought the milder method should be first tried. It was bad policy to make the agricultural system depend on caprice or change of circumstances, unless there was a pressing necessity for it. He agreed, that in the present case, something must be done, and he therefore gave his assent to the milder measure as an experiment.

The Resolution was then agreed to.

DUTY ON IRISH SPIRITS.] The House having resolved itself into a Committee of Ways and Means,

Mr. *Wellesley Pole* said, that the first Resolution he should have to propose to the Committee, was for laying an additional duty of 2s. 6d. a gallon on Irish made spirits, thereby doubling the duty now paid. Two objects would be promoted by this—the relief of the brewing trade in Ireland, which, according to the Report of the Committee that sat last year, was necessary, as the extensive use of spirits, in consequence of illicit distillation, had very much increased, and thereby the health, morals, and industry of the people were materially affected; and they gave it as their opinion, that the first opportunity should be made use of to lay an additional duty on spirits, in order to render their consumption less general. Another object, which would be promoted by this additional duty, was, the assistance it would give towards effecting the measure he had proposed. The duty now proposed, was higher than had ever been paid; for though a higher duty had been laid on before, it had never taken effect, in consequence of the stoppage of distillation. That duty was 6s. 3d. the present would be 5s. 10d. including the malt duty, which was larger than had ever been col-

lected on spirits distilled from corn. He knew that the objection hitherto was the danger of illicit distillation; but he trusted that would be found to be considerably diminished, in consequence of the measures which had been adopted last year: for by a comparison of the returns made up to the last assizes with those of the last three years, up to the 29th of September, of the number of stills seized, and of prosecutions for illicit distillation, it appeared that they amounted to two-thirds more in the last year than in any former one. In addition to the measures adopted, the permission to small stills to distil would be very efficacious, and would make it unnecessary to resort to those severe and harassing laws which had been suspended for two years, and which he intended to move for the repeal of in the course of this session. He had to observe that the duty in the present case was to be laid only on the stock in hand. He then concluded by moving—"That it is the opinion of this committee, that from and after the 8th day of April, there be laid on every gallon of strong water or spirits made in Ireland a duty of 2s. 6d. per gallon in addition to the duty now paid."

Sir *John Newport* was extremely happy to see the present motion brought forward, and thought there was no sacrifice which ought not to be made to the great object of preventing the excessive use of spirits among the lower orders in Ireland. He hoped a full and fair trial would be given to the augmented duty.

Mr. *Grattan* said, that he perfectly concurred in the present measure, which went to prevent the sacrifice of the health and morals of human creatures to the benefit of the revenue. He hoped this measure would increase the consumption of malt liquor, which was so much more wholesome. He considered the low price of spirits in Ireland, the cause of their excessive use, rather than any disposition in the people to intemperance. This duty would go to correct that evil, and he had not any doubt that it would be followed up.

Mr. *Parnell* said he concurred in the general principle on which this duty was proposed; but he was apprehensive, that illicit distillation was not yet sufficiently put down to warrant so large an addition. He had had the means of ascertaining, beyond all doubt, that the illicit trade was still going on without interruption over immense districts of that country; and that

being the case, the additional duty would neither diminish the consumption of grain, or augment the revenues; because it could only operate as a bounty on illicit trade, and the production of spirits run at a cheaper rate than they can be made under the existing duty. He had hoped the right hon. gentleman in proposing a new duty on this most important branch of the Irish Revenue, would have taken a more comprehensive view of the subject than he had done. That he would have stated to the House, that the abuses which had been proved to exist by the commissioners of enquiry in the collection of this duty, had been put an end to. That he would have explained in what manner so great a defalcation as two millions a year, which they had established to have taken place, was in future to be prevented. For unless some better system of collection was resorted to, it was in vain to expect any produce from any additional duty. For, his part, he never could think that any branch of the Irish revenue would be productive, so long as the whole of the revenue patronage was in the hands of the executive government. It was impossible the several boards of revenue could enforce a due discharge of duty on the part of the officers under them, so long as every situation was filled up by the lord lieutenant without communication with them, or any consideration of the fitness of the individuals appointed to them. This was not the practice in England; here every board appointed its own officers, and accordingly they felt themselves responsible for the efficient collection of the revenue, and did collect it. Till the same practice was established in Ireland, the taxes would never produce what they ought to yield, nor can there be the smallest prospect of getting over the embarrassments to which the Irish finances at present are subject.

Mr. *W. Pole* shortly replied, and stated the average quantity of spirits exported from Ireland was between one fourth and fifth of the whole.

The Resolution was then put and carried.

HOUSE OF LORDS.

Thursday, April 9.

ORDERS IN COUNCIL.] Earl *Fitzwilliam* presented a Petition from certain merchants and manufacturers engaged in the woollen trade in the West Riding of Yorkshire, against the Orders in Council; which

having been read at the table, his lordship observed, that the statement of so respectable a body of men was highly deserving of attention. The Petition, he understood, was signed by 15,000 persons, whose complaints of the grievances under which they laboured, in consequence of the operation of the Orders in Council, he should feel it his duty to call the attention of the House to on Tuesday the 28th instant, for which day he moved that the Lords be summoned.—Ordered.

EAST INDIA COMPANY'S CHARTER.]

Lord *Holland* presented a Petition from the mayor and burgesses of Nottingham, for opening the East India Trade, which was ordered to lie on the table. His lordship also stated that there was a Petition from the same place to the executive government, against the Orders in Council, which he had had the honour of presenting that morning.

The Earl of *Lauderdale*, pursuant to notice, moved for the correspondence between the government and the East India Directors on the subject of the renewal of the Charter. As the papers had already been printed for the use of the East India Committee, and had been before the public through another channel, he presumed there would be no objection to this motion. 2d. He moved for a copy of the military plan of marquis Cornwallis, referred to in the correspondence, for consolidating the forces of the Company with the king's troops. This might be a most important document, and it was proper it should be on the table before the subject came to be discussed. 3d. His lordship next adverted to a statement made by the deputy chairman of the court of directors, in a letter (forming part of the correspondence) to the person who was lately President of the Board of Control, (lord Melville,) that there were papers in the archives of the company, which would be of great use in enabling the government to appreciate the effects of the monopoly with respect to the navigation laws. Whether these papers would make for or against the arguments of the directors, it was fitting that they should be produced; and he, therefore, proposed to move accordingly. 4th. Though it appeared from the negotiation that it was intended in a great measure to open the trade with India, there might be such rules and regulations established in India with regard to private traders, as to render the privi-

lege nugatory. Of this description, he contended, were the regulations already existing in the company's settlements: but whether he was correct in this opinion or not, it was of great importance that their lordships should be acquainted with these regulations, lest they should only be conferring a privilege, which the company, by means of their local rules, might turn into a humbug on the public. He should therefore move, that they be laid on the table. As they were, or regularly ought to be, transmitted every year from the Indian presidencies to the court of directors, there could be no difficulty in producing them. His lordship, however, expressed his willingness to postpone the last two of these motions, if the noble lords opposite wished for time to consider them.

The Earls of Liverpool and Buckinghamshire expressed a wish that the last two should be postponed; and lord Lauderdale assented. The first two were agreed to.

The Earl of *Warwick* presented a Petition from the manufacturers of Birmingham against the East India monopoly. It was signed, he understood, by about 16,000 persons.

The Duke of *Norfolk* stated, that as it might have been imagined that these manufacturers had been prompted by the merchants of Liverpool, and other places more immediately interested, perhaps, in putting an end to the monopoly, he had thought it his duty to make some enquiries, whether or not this was the case; and the result had been that he found this Petition to have arisen from the spontaneous feeling of the people of the town of Birmingham itself, who were convinced that if the trade to India were thrown open, they would be enabled to export much more of their manufactures than they did at present. The Petition was then read, and ordered to lie on the table.

BANK OF ENGLAND.] The Earl of *Lauderdale* said, if any objection were made to the motion of which he had yesterday given notice, he would abstain from submitting it to the House at present. But he thought it was fitting their lordships should know what was the direct benefit the public had given to the Bank by the restriction of cash payments; what were the causes which rendered it so difficult to procure money for the public service; and by what means the measures of parliament had thrown an immense sum

of money into the pockets of the directors. To elucidate these points he would move, 1. For the average prices of Bank stock, half yearly, from the 5th July, 1797, to the 31st December, 1811.— 2. For the rates of dividends, for a like period; with a statement of the amount of increase since 1797; and the time at which the increase took place; and, 3. For the amount of sums paid to the proprietors of Bank stock, over their dividends, since July, 1797; with the amount of each *bonus* and its date. He could see no objection to this motion. It might indeed be said, that all this information could be gained without bringing the matter before their lordships. He had himself made some calculations, but he knew not whether they were accurate. If they were, then the accounts he would move for would shew, that while the people in general were suffering, the Bank proprietors had put nearly 17 millions into their pockets. He thought it was important this should be known, before they discussed a Bill which would nearly go to make Bank-notes a legal tender. In his opinion, there was not a more proper mode of taxation, than to take away part of their wealth from those persons who had profited by the public distress.

On the suggestion of the earl of Liverpool, lord Lauderdale postponed his motion till Tuesday, observing, that when he brought it forward, he would move for similar accounts from the bank of Ireland.

Earl *Grey* said, he understood no opposition would be given to producing an account of the total nominal amount of bank-notes rejected as forgeries at the bank of England, from 1797 to the present time, but that an objection would be made to specifying the number and description of such notes; he should therefore, on Tuesday next, propose his motion in an amended state.

HOUSE OF COMMONS.

Thursday, April 9.

PETITIONS FROM WALSALL AND NOTTINGHAM RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the merchants, manufacturers, and other inhabitants of the borough and foreign of Walsall, was presented and read; setting forth:

"That, in consequence of the usual markets upon the continent of Europe be-

ing, with a few exceptions, entirely shut against British manufacturers, and of the unfortunate misunderstanding with the United States of America, the trade of the petitioners, in common with that of the kingdom in general, has suffered very severe and distressing privations; and that, when the petitioners call to mind the uniform and pertinacious system of hostility which the ruler of the French nation has manifested towards the commerce of this country, together with the unbounded influence which his arms or intrigues have procured, they cannot but consider the probability of the usual channels of trade being re-opened as very faint and distant; labouring under the privations of a declining trade, and the pressure of a heavy taxation, the petitioners eagerly look forward to the adoption of some measures by which new markets may be opened, and the industry and enterprize of the nation be brought into proper action; and the petitioners further presume to represent, that, in order to accomplish this desirable end, the East Indies would afford ample and effectual means, were they not excluded from that immense tract of country by the sweeping monopoly of the East India Company, a monopoly which has produced no benefit to its possessors as a commercial body, nor at all advanced the interests of the British trade in India, since the exports of the Company in English manufactures are trifling and unimportant; and that the petitioners cannot refrain from expressing their regret that they should be the victims of this monopoly, while the subjects of other nations are admitted to reap the advantage of this exclusion; and praying the House to take the premises into their most serious consideration, and to afford relief to the petitioners, either by preventing the renewal of the East India Company's Charter after the termination of its present limit, or to modify it in such way as to the wisdom of the House may seem most conducive to open the trade of the East to the mercantile energy and spirit of the empire at large."

A Petition of the mayor and burgesses of the town and county of the town of Nottingham, was also presented and read; setting forth,

"That the petitioners are impressed with the most lively conviction that the trading and manufacturing interests of the British empire are experiencing severe

suffering, owing to the system adopted by the present ruler of the French empire, in restricting the commercial intercourse of this kingdom with the continent of Europe, and to the existence of the British Orders in Council, as they affect our commerce with America; and that many thousands of the labouring part of the community, in the immediate district and neighbourhood of the petitioners, have, by these means, been reduced to poverty and distress, and thereby seduced to temporary acts of violence, to restrain which the strong arm of the law has been necessarily exerted in the conviction and punishment of the offenders; and the petitioners entreat that the House will, under these circumstances, take into their most serious consideration the manner in which these distresses have been increased by the monopoly created in favour of the East India Company by that charter which vests in them the exclusive right of trade and navigation to all countries comprehended between the Cape of Good Hope and the Straits of Magellan; and the petitioners request that the House would determine whether it be conformable to the principles of justice and of a liberal and enlightened policy, that whilst access to these regions should be allowed, by the Act of the 37th year of his present majesty to all nations in amity with this country, all the subjects of the British empire, not clothed with the privileges of the East India Company, are excluded therefrom; and that the petitioners are extremely solicitous that all the subjects of Great Britain and Ireland, without distinction, should on the expiration of the present Charter of the East India Company, be admitted to a full participation in the trade to all those extensive territories comprehended in that Charter, the petitioners being of opinion that such a measure would afford employment to many thousands of workmen in the different manufactures of these kingdoms at present reduced to poverty and distress; that it would create an additional nursery for seamen, and prove the means of encreasing the riches, the revenue, and the national prosperity of the British empire; and praying the House to take these premises into their most serious deliberation, in deciding upon the further extension of the Charter to the East India Company, and to grant such relief therein to the subjects of this empire, engaged in trade and commerce, as the nature of the case may appear to the

House to require, and as to the House may seem expedient, in a matter of such serious importance to the British empire."

Ordered to lie upon the table.

SEA-WATER BATHS BILL.] Mr. *Peter Moore* presented three several Petitions in favour of a Bill before the House, for the erection of Sea Water Baths in the vicinity of the metropolis. The first Petition was from the members of the royal college of physicians, setting forth the great utility of these Baths, as necessary to the comfort and convenience of the inhabitants of the metropolis, as being highly beneficial to the health of the inhabitants in the cure of cutaneous and eruptive disorders.—The next Petition was from the inhabitants of the city and liberties of Westminster, to the same effect, and the third Petition was from the inhabitants of the city of London, stating similar benefits as likely to arise, if the House would permit the Bill to pass into a law.—The Petitions were laid on the table.

Mr. *P. Moore* then moved the second reading of the above Bill.

Admiral *Harvey* opposed it, principally on the ground that some of the landed properties in Essex, either were against it, or at least remained neuter. He therefore moved, that instead of "Now," the Bill be read the second time this day six months.

Lord *Henniker* supported the motion.

Mr. *Moore* observed, that as the two hon. members had objected to the progress of the Bill in perfect good humour, and not having stated one real solid objection to the Bill passing into a law, and after the royal college of physicians and the cities of London and Westminster had come forward in favour of it, he thought the House would allow it to go into a committee. With respect to the Bill itself, of 209 persons stated to be interested in opposing its progress, 104 had given their assent, 86 were neuter, because as their names were not in the papers, they were not consulted, and only 19 dissented. So that, in a line of 40 miles, which the works necessary for completing the undertaking would occupy, there were 7-8ths of the parties interested in favour of it.

Mr. *Hume* supported the Bill, as tending to the comfort of the metropolis, and stated, that in the committee, the proposers would be prepared to prove that 7-8ths of the county of Essex had given their consent.

Mr. *Curzon* conceived, that as the pub-

lic would derive great benefit from the erection of sea water baths, at least he hoped the House would allow it to go to a Committee.

The House divided on the second reading now—Ayes 17; Noes 29. Majority against it 12.

MOTION RESPECTING MARTINICO SUGARS

ADMITTED INTO IRELAND.] Sir John Newport observed, that he had given notice of this motion last session, but owing to the delay which generally took place in the printing of papers relating to Ireland, he had not been able to bring it forward at that time. He then went into a minute statement of a transaction which had taken place in Ireland, in the year 1810. An individual had, at that period, introduced a cargo of Martinico sugars, for which he was required to pay the foreign, instead of the British colonial duties, as he had been led to expect by the Custom-house officers at Martinico. On this he presented a memorial to the lord lieutenant, stating his grievances, and praying for a remedy. The sugars were then allowed to be warehoused; and after a considerable time part of those sugars were allowed to be sold for the home consumption, the rest being liable to the foreign duties. The right hon. baronet censured that constant interference of the Irish executive government in revenue affairs, instead of referring them to the treasury, as was uniformly the case in this country. This interference, he maintained, would ever prevent any proper order in the administration of revenue in Ireland. He concluded by moving the following Resolutions: 1. "That, on the 31st of December 1810, a Petition to the lord lieutenant of Ireland for admission of a cargo of Martinico sugars, on payment of British colonial duty, was referred to the board of customs, who reported that they could not be admitted to entry but on payment of foreign duty, conformably to the 49th Geo. 3, c. 61, as stated by the attorney general to the board. 2. That, on the 11th of January, 1811, the said sugars were landed on bond and stored, in conformity to the order of the lord lieutenant. 3. That, on the 6th of February, a Petition for liberty to dispose of 40 hogsheads of the said sugars, alleged to be damaged, and of the remainder of the said cargo, on payment of British duty, was referred to the board of customs, who reported, on the 13th of March, that, in conformity to the attorney

general's and board counsel's opinion, "that the said 40 hogsheads, and such other part of the cargo as the merchant thought fit, might be disposed of, on payment of British colonial duty, provided a sufficient quantity remained in store to satisfy the higher duty, should the same be thereafter required," they had ordered the said sugars to be entered accordingly. 4. That, on the 8th and 9th of March, 250 hogsheads, part of the said sugars were entered on payment of 11. 7s. per cwt. in place of 2l. 9s. 5d. the foreign duty to which they were liable, making a difference of 2,965l. which balance was not paid in to the revenue of Ireland until the 14th of January following. 5. That, on the 15th of March, the lord lieutenant's order was signified, to suspend the execution of the said order, which had been already carried into effect on the 6th and 9th of the said month. 6. That, on the 26th of April, another application for discharge of the rest of the said sugars, on payment of British colonial duty, was referred to the board of customs, and, on the authority of the attorney general, negatived, and payment of the balance of duty on the former sugars directed to be enforced. 7. That all these orders were conveyed from the lord lieutenant to the board of customs by the under secretary in the civil department without the intervention of the board of treasury, although the 35 Geo. 3, c. 28, s. 22, Irish statute, by which that board is established, entrusts to it the duty of superintending and controuling the collection and management of the revenue of Ireland in all its branches. 8. That, from June 1811 to March 1812, when the remaining sugars, 200 hogsheads, were entered for exportation on payment of foreign duty, the whole proceedings in this case were directed by the board of treasury, communicating with the board of customs, according to the intent and meaning of the last-mentioned act of parliament."

Mr. W. Pole said, he certainly should not take up the time of the House by following the right hon. baronet through the details into which he had thought proper to enter, particularly as the right hon. baronet had admitted that, since the month of April last, all the steps which had been taken in this business had met with his approbation. With respect to the delay which took place last session, it arose from the unfortunate illness of the right hon. baronet himself, and not because the pa-

pers were not produced. The simple facts of the case were, that the person alluded to by the right hon. baronet had imported a large quantity of Martinico sugar into Ireland, under the idea that he should only be charged the British colonial duties, not the foreign duties, and upon finding that he had been misinformed with respect to the law upon the subject, he had applied to the executive power for redress. The right hon. baronet had contended, that the lord lieutenant, by means of his secretary or under secretary, ought not to have interfered, but that the interference with the revenue board, if it was necessary, should have been by the treasury. This was the first time he had ever heard it stated, that if a person applied to the executive government, praying for relief, that the application ought not to be attended to. He agreed with the right hon. baronet, that when the interference did take place, it would have been better if notice had been given to the treasury, because, in all cases of this kind, he was of opinion that the treasury ought to be consulted, or to have notice given to it of the transaction. With respect to the present case, he was at a loss to conceive what it was that the right hon. baronet complained of: the revenue had sustained no loss, for he himself admitted that every farthing of the duties had been paid. When the individual first applied to the Irish government, the opinion of the attorney-general was taken upon it, and upon that opinion the sugars were allowed to be landed. It was true that a part of these sugars were allowed to be taken out of the stores, and sold for home consumption, paying the smaller duties, and he would state the reason of it. When this person imported this large quantity of Martinico sugars into Ireland, he had entered into several engagements which he meant to liquidate with the produce of these sugars, and in consequence of an application from him, he was allowed to sell a part of the sugars; but enough was received in the king's stores to cover the whole of the foreign duties, not only upon what was sold, but upon what was retained in the stores. If this permission had not been granted, the man must have become a bankrupt, and it appeared very hard to place a man in that situation, when he had property to so large amount in the king's warehouses. Upon the whole, he was at a loss to conceive what was the complaint which the right hon.

baronet intended to make against the government of Ireland. The case of this individual had been examined with the greatest care and attention, and it was not pretended that the revenue had sustained the slightest loss. Under these circumstances, he should certainly oppose the motion.

Mr. Parnell condemned generally the policy on which the financial concerns of Ireland were conducted.

The *Chancellor of the Exchequer* said, this was the most extraordinary motion he had ever known to be attempted to be brought before the House. No ground had been laid before them, no character had been given to the resolutions either of praise or blame; and as so much of the time of the House had been already taken up to no purpose, he felt it his duty to move the previous question.

Sir J. Newport insisted that a character had been given to the resolutions. One of them particularly complained, that the regulation of the duties on excise and customs had been assumed and acted on by the executive power, without any application to the board of treasury, to which department they belonged. That when he shewed this to the late Chancellor of the Irish Exchequer he was absolutely amazed at the transaction, and could scarcely bring himself to credit it: but the fact was, that of which another of the resolutions complained, namely, that the right hon. Secretary had a preponderating influence in Ireland,—that he was the sole organ of government, and no other person had any will under it. The right hon. gentleman himself had frequently proclaimed it to the House, and it was now fully evinced. He was therefore surprised the right hon. gentleman should have stept in with the previous question.

A division then took place on the original question. For the Resolutions 11; Against them 36.

EXPORTATION OF IRISH SPIRITS.] Mr. Wharton brought up the Report of the Committee on the Suspension of the Exportation of Spirits from Ireland. On the motion that it be agreed to,

Sir J. Newport intreated government not to protract any measures which they might have in view for the relief of the people of Ireland in the present scarcity of grain. Every day's post brought additional proofs of the existence and the pressure of that scarcity, and he hoped the

right hon. gentleman opposite was sensible of the serious responsibility under which he laboured on this subject.

Mr. W. Pole assured the right hon. baronet, that he was fully sensible of the serious responsibility which attached to him in the discharge of his official duties. To be reminded of this, he need only look at the public prints in Ireland, in which, while on the one hand the distresses of the people of Ireland were exaggerated in the most unjustifiable manner, a kind of proclamation was issued on the other for visiting all those distresses on his head. Still, however, he was firmly determined not to come forward and propose to parliament what he could not but consider a most calamitous measure, namely, the total stoppage of the distillation from grain, until he should be in possession of documents of so cogent a nature as to shew the indispensable necessity of such a proceeding. Whenever that might be the case, he trusted that he should not be found disposed to shrink from his duty. He admitted that every post did bring additional information on this subject of an unpleasant nature, and that the post of this day had conveyed to him the unwelcome intelligence, that corn in Ireland was still higher even than he anticipated it would be; but he repeated, that government kept a watchful eye on what was passing in that country, and that they might perhaps soon feel it to be their duty to propose further measures to counteract the evil.

Sir John Newport disclaimed all intention of throwing any censure on the right hon. gentleman. His information had been derived, not from the Irish newspapers, but from respectable individuals, some of whom were known to the right hon. gentleman, and who entertained for him a high regard.

The Resolution was agreed to, and a Bill ordered accordingly.

IRISH FINANCE COMMITTEE.] Sir John Newport, in pursuance of the notice he had given, rose, to move for the addition of six members to the committee for examining into the state of the revenue and expenditure in Ireland. Among the names he should propose, were those of Mr. Shaw, of Dublin, Mr. Johnstone, and lord Archibald Hamilton. On the name of the first of those gentlemen being put from the chair,

Mr. Pole said, the fact was, that there

were several documents which were necessary for the committee to have before them, which were not yet produced, and that the thin attendance was not attributable to any neglect on the part of the members. He considered, therefore, that any addition was wholly unnecessary.

Sir J. Newport said, that while the right hon. gentleman admitted the fact of non-attendance, he seemed to consider it no evil. It was extraordinary that he should appear to suppose that the committee were to meet or not as he pleased to direct.

The Chancellor of the Exchequer hoped the right hon. baronet had never found any disposition not to accommodate, and he was quite sure that if the right hon. baronet had any proposition to make at any time to the committee, he, for his part, would be most desirous to meet his wishes. He was satisfied that a sufficient number of members were present if any business was before them.

Sir J. Newport, though he should not press a division, yet he protested against the opposition made to his motion. The committee had been appointed last session, at the recommendation of the throne, and nothing had yet been done of any consequence; it was a delusion upon the country, and he therefore hoped, as the right hon. gentleman was about to propose lord Castlereagh's name to be added to the committee, that he would substitute it in the place of his, as he could not remain a member where he could be of no service.

Mr. W. Pole expressed his concern at the wish of the right hon. baronet, whose services on the committee were so highly valuable, and whose absence from it would be so severely felt. He assured him that as far as his business would permit, he would give his attendance to the committee, and endeavour to meet his wishes.

The motion was then withdrawn, and the name of lord Castlereagh added to the committee.

EXPORTATION OF RICE.] Mr. Lyttelton not seeing the Vice-President of the Board of Trade in his place, begged to ask of the right hon. the Chancellor of the Exchequer whether he was correct in certain information he had received, that there were at this moment ships in the river, having cargoes of rice on board, with licences to proceed with the same to ports in France.

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No answer being given,

Mr. Whitbread said, that though the Vice-President of the Board of Trade was not present, still he thought, when the appearance of scarcity was so alarming as it was at this moment, that it would be becoming in the right hon. gentleman to give some answer to the question which had been put to him by his hon. friend; or, if he was not prepared to do so now, that the matter should stand over till to-morrow, and that, in the mean time, the sailing of any vessels in such circumstances should be suspended.

The Chancellor of the Exchequer said, he understood the question to be, whether there were not some vessels in the river, having licences to France, with rice on board? He was not aware whether there were or were not any vessels in that situation. There, no doubt had been licences granted to export articles not prohibited, and as the law stood there being nothing to prohibit the exportation of rice, that article of course would be comprehended under the general licence. There had recently, he believed, been a communication made on the subject of the scarcity of this article, in consequence of which, in all licences since granted, the word "Rice" had been excluded. How far it would have been proper, as rice was not a prohibited article, to prevent the exportation of any cargo already shipped under a licence previously granted, he thought was a matter of serious consideration. It seemed to him to be extremely doubtful how far, in these circumstances, a merchant ought to be deprived of the best market he could get; and it even seemed to be of serious consideration, whether the knowledge of such a regulation might not prevent the importation of the article, particularly from America.

Mr. Whitbread thought the first question was, what would be the best mode of applying the rice now in this country, whether to keep it to ourselves, or to export it for the use of our enemies? As to what had fallen from the right hon. gentleman in regard to America, he confessed he was surprised that the right hon. gentleman should have made any reference to that country, when he considered in what situation he himself stood—who he was—and what had been his conduct in regard to America. He really thought, in the situation in which the right hon. gentleman stood, he needed not have applied any of his general principles to America.

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The *Chancellor of the Exchequer* said, he had not forgotten who or what he was, but had thrown out what he had said only as reasons against interfering with licences already granted.

Mr. *Lyttleton* hoped he should have received a more pointed answer, whether licences were, in the present circumstances of the country, granted for the exportation of so necessary an article.

The *Chancellor of the Exchequer* said he had already stated, that many licences had been granted generally, which comprehended rice, as not being a prohibited article. Since communications on the subject had been made to the Board of Trade, the article of rice had been uniformly excepted; but if the hon. gentleman meant to contend, that where the licences had been granted generally, and cargoes of rice had been shipped, the exportation ought still to be stopped, he had not the smallest doubt that the hon. gentleman would require an act of parliament for that purpose.

Here the matter ended.

PRESIDENT OF THE BOARD OF CONTRoul.]

Mr. *Creevey* rose, in pursuance of his notice, to move for copies of the Patents, under which lord Melville, and the earl of Buckinghamshire, were appointed to the office of President of the Board of Controul. He observed, that in 1784, when the Board of Controul was nominated, none of the members belonging to which were to receive salary, but the President had been allowed 2,000*l.* per annum, which he received up to last year. In that session, a Bill was brought in for its augmentation, and 22,000*l.* had been voted for that purpose. His object, therefore, by this motion was, to ascertain what further sum had been given to lord Melville who lately held, and to lord Buckinghamshire, who now filled the office of President of the Board. The former of these noblemen had been in possession of a Scotch sinecure, producing 2,500*l.* per annum, of the place of lord privy seal of Scotland, yielding 3,500*l.* and of 5,000*l.* under the act of last session, making together 10,000*l.* a year. The earl of Buckinghamshire had a sinecure and salary, as having served the office of chief secretary for Ireland, of 11,000*l.* per annum, besides 1,500*l.* given to him by the East India Company, in consideration of his having served the office of governor of Madras, and his lordship now

was in receipt of 5,000*l.* as President of the Board of Controul, ascending together to the enormous sum of 17,000*l.* a year. He put it to the right hon. gentleman over the way, whether this amount of public money was not too much to be assigned to one individual. He understood, that lord Melville had thought right to relinquish the tellership of the Exchequer he formerly held, and was content with the 5,000*l.* per annum he obtained as first lord of the Admiralty. He trusted that this act of liberality would have its due effect upon the mind of the earl of Buckinghamshire, and concluded by moving "That there be laid before this House, copies of all warrants under his Majesty's sign manual, directing the amount of the salaries to lord viscount Melville, late President of the Board of Controul, and to the earl of Buckinghamshire, now President of the Board of Controul, under and by virtue of the act 51 Geo. 3, c. 75."

The *Chancellor of the Exchequer* observed, that undoubtedly one object of the act of last session was to increase the salary of Mr. Dundas, who then discharged the arduous duties of the President of the Board alluded to. He admitted that it had been strenuously resisted by the hon. gentleman, but his objections had been over-ruled by the better judgment of the House. Lord Melville, however, upon his nomination to the situation he now held, had resigned the office previously occupied by his late father, of privy seal of Scotland, with the salary annexed to it. If the hon. gentleman expected that sinecure offices were to be held without the receipt of any salary, it was a new principle not yet recognized by parliament. Individuals who under the last administration held situations to which no public duty was attached, did not think it necessary to set an example which was now considered so laudable. It would not now be denied that the earl of Buckinghamshire was entitled to an adequate reward for the execution of public duties of great importance, but, filling this new office under the East India Company, he had thought it right to resign the annuity of 1,500*l.* as governor of Madras. As the papers now required would in the regular course of business be laid before parliament, he thought the motion unnecessary, but if it were persisted in he should not resist it.

Mr. *Whitbread* wished to put a question of some importance to the right hon. the

Chancellor of the Exchequer. He wished to know whether the pension of the President of the Board of Controul depended upon the continuance of the East India Company's charter? If so, considering also his former attachment, it appeared that the earl of Buckinghamshire must have a direct and obvious interest in supporting the monopoly so grievously complained of by the nation.

The *Chancellor of the Exchequer* thought it extremely probable that the grant depended upon the contingency of the renewal of the charter. He could not see why the previous employment of his lordship should render him unfit, under the present circumstances, to fill the office of President of the Board of Controul. Certain it was that there was no legal incompetency, and no other objection could be assigned.

Mr. *Whitbread*, leaving the earl of Buckinghamshire out of the question, thought that he might assume, from the known motives that influenced men in general, that any other person but the noble earl might be induced more strenuously to support a cause in the success of which he was so largely interested. He was not surprized that the right hon. gentleman had fixed upon an interested individual, considering the great difficulty he had found in discovering persons who would consent to serve under him.

The Motion was then agreed to.

HOUSE OF LORDS.

Friday, April 10.

OFFICES IN REVERSION BILL.] The House resolved itself into a Committee on the Offices Reversion Bill. On the clause being read for limiting the duration of the Bill to the 28th of February, 1814,

Earl *Grosvenor* rose to move his proposed amendment. This he had resolved to submit to their lordships, though by no means certain, that it was the exact course which he ought to pursue. He had felt considerable difficulty in deciding in his own mind, whether he ought not rather to have abandoned the Bill to its fate, or whether he ought not to have proposed the immediate abolition of the practice of granting Offices in Reversion; but considering the length of time to which he should move to extend the suspension, it might certainly be virtually considered as an abolition. His lordship then adverted to the strange conduct of ministers, with

regard to the subject under consideration. They had agreed that this was a mere trifle, a nugatory measure; and yet, though it was looked to with great anxiety by the people, they had always contrived to get rid of it without doing any thing. He was sorry not to see the President of the Council in his place, (lord Sidmouth,) who had strenuously supported the abolition; but he hoped that noble viscount would appear in the House before the close of the discussion, and repeat his former sentiments. He trusted he would at last persuade his colleagues to adopt his opinion. After considering the absurdity of the preamble of the Bill, which he had particularly noticed on a former occasion, he asked why the law offices were excepted? It might be said that this would much diminish the emoluments of some of the judges,—emoluments, which they had been taught to calculate upon, when they accepted their situations; but where was the difficulty in this? A remuneration might be granted to the present judges; and those who might succeed them would have no reason to complain, as they would be fully aware of the new regulation. He declared, that in reprobating, as he did, this practice of granting offices in reversion, he had no intention to cast any personal stigma on those who at present held them. Many noble and honourable men who held such situations, had acquired their right to them before they could know the meaning of the word reversion. Many of them were probably in the first stage of infancy when they were made reversionists; and therefore to be such, could in them be considered as no crime. He concluded by moving, as an amendment, that the suspension, instead of being continued till 1814, should be continued till 1840. If this amendment should be adopted, he would then move some alteration in the preamble, in order to make the Bill consistent.

The Earl of *Lauderdale* presumed it was the intention of his noble friend, if his amendment was agreed to, to propose an amendment in the preamble, to leave out the words referring to proceedings now pending in the House of Commons, otherwise it would be in truth a most alarming symptom, that an enquiry pending in the House of Commons, with a view to the reform of abuses, was to last till the year 1840. He would, however, support the amendment, in order to get rid of the repeated discussions, upon this subject,

which he thought tended grossly to mislead the public, and engender a supposition that an important saving could be made, which was not the fact. The whole number of offices held in reversion (with the exception of three to which regulations were already applied on the termination of the existing interests,) did not amount to more than forty, and the whole sum to be saved, supposing even the whole of these offices to be abolished, which was no part of the present measure, would not amount to more than 35,000*l.* per annum. It was therefore misleading the public to attach any importance to this Bill, which in truth would effect nothing for their benefit. With regard to the influence of the crown, he was fully persuaded it would not be at all reduced by such means. Instead of diminishing that influence, he rather thought the abolition of this practice of granting offices in reversion would increase it. But still, though he thought the measure perfectly nugatory, to say the least of it,—though he thought that it was deceiving the people to hold out any expectations of relief from it, he should vote for his noble friend's amendment, because it would prevent that constant discussion on the subject, which had the pernicious effect of making the people believe that corruption was chiefly prevalent among the higher ranks, and in the two Houses of Parliament. This, he contended, was a mistake. The direct influence of the crown was much less now in the two Houses, and had been less since his political career commenced, than at a former period. (Hear! hear! from the ministerial benches; a smile, and a movement of dissent from lord Grey.) He maintained that this was the fact. Thirty or forty parliamentary offices had been abolished; and with respect to the army and navy, it was an ascertained fact, that at the end of sir Robert Walpole's administration there were more officers of the army and navy in parliament than there were at the present moment. It was not in parliament, but in the country at large, that the influence of the crown had increased, and in the country at large, owing to the immense increase of the army and navy, and the revenue, the influence of the crown had enormously increased. In order to prove that the influence of the crown was much more prevalent out of doors than in parliament, he had only to observe, that two dissolutions of parliament had lately taken place much

more speedily than they would have done, if the crown had been so much more powerful in parliament than out of it. The perpetual agitation of this question, and the hopes held out from it, had the farther pernicious effect of turning the attention of the people from objects of infinitely more importance to their interests. The reversions to be suspended by this Bill, he repeated, would hardly amount to 35,000*l.* a year in the whole. What relief would such a saving afford in an expenditure of about eighty millions? It was a perfect farce to talk of such a thing; and he was satisfied that if the people were really aware of how little advantage the abolition of the practice of granting offices in reversion would be to them, the measure would effectually lose its popularity. It was from the unfounded expectation of relief from it, that it had so much occupied the attention of the people. Such were his opinions on this subject,—certainly not influenced by any expectation of procuring a reversionary grant for himself. The course of his political life had not been such as to warrant any charge of the kind against him. But for the reason which he had stated, he should certainly vote for the amendment, with the understanding, that if it should be carried, the necessary alteration to make the Bill consistent should be made in the preamble.

The Earl of *Darnley* agreed, that, in an abstract point of view, the measure was one of very little importance, and the effect likely to be produced by it next to nothing. He did not think, however, that the agitation of the measure, which extended to every denomination of persons throughout the country, could be considered as casting any reflection on members of parliament. The public, he conceived, from the frequent discussion of this measure, expected their lordships to turn their minds to the consideration of public abuses in general—and the system of sinecures and reversions he considered a monstrous abuse. In point of principle therefore, he thought this Bill of importance; and he would vote for it, and for any extension his noble friend thought fit to propose.

Earl Grey did not intend to have addressed their lordships on the present question, on which he had so repeatedly delivered his sentiments; but he thought it indispensable, not so much to argue that which had been so often argued before, as to disclaim any participation in the opinions stated by his noble friend (lord

Lauderdale,) on the great question of economical reform, always of importance, but particularly so at the present moment. His noble friend's view of this subject, and his reasoning on it, he thought extremely erroneous. He was not one of those who attached much importance to the immediate operation of this measure—but to the principle he attached a great deal. Because, in times like these, he would wish to shew to the people of this country, suffering under excessive burdens, that parliament were anxious to relieve them—and, when a question of reform was agitated, it was of great importance that it should be carried into effect. He knew three offices in reversion, which, on that very account, could not be regulated by parliament. The places thus held, he believed, produced an annual sum of 60,000*l*. Being held in reversion, parliament looked on them in the light of a freehold property, which they could not touch—but, if it were not for that circumstance, they would, probably, have been abolished. It might be said, that at the time these reversions were granted, the emoluments were not so great as at present—but had become large, in consequence of the increased revenue of the country, and the enlarged scale of expenditure, which were not contemplated at the period of the grant. But how did he know, that there were not others of a similar nature, and subject to a similar increase, if they persisted in permitting the system to be continued? A variety of considerations convinced him of the propriety of abolishing reversions and sinecures. Such a measure would lessen the expenditure of the country, and diminish the influence of the crown. He, therefore, would much rather see a permanent Bill than that which had been introduced. The noble earl (Lauderdale) had told them, that the influence of the crown in parliament was diminished—that was the direct influence. He was aware of that—But his noble friend, he was sure, was too accurate a reasoner on the circumstances of the present time, not to know, that, in point of fact, the influence of the crown, in both Houses of Parliament, had greatly increased. The increase of the army and navy, the increased expenditure, and the enlargement of the public establishments, all contributed to produce this effect; because numbers would be swayed by the hope or expectation of procuring provision for themselves or their families.

Looking to these circumstances, he considered the influence of the crown, as twenty times greater than what it was at the periods spoken of by his noble friend. The army and the navy were greater now than at any former era in our history. Looking to the power of France, they could not be reduced. Even if peace were restored, (if indeed, the country should ever witness its return,) could they, under all the circumstances, diminish the military establishment? Could they look to a reduction of the revenue necessary to support that establishment? Certainly not.—What then could be done to lessen the influence of the crown, which was thus supported? Could the right to make appointments connected with those establishments be taken from the crown? It could not. The influence must remain. There might be regulations; but the influence could not be done away. As to the direct influence, he conceived that the present measure, as amended, would tend to decrease it. It did not go so far as he could wish; but he approved of it, as it was founded on the principle of economy, and held out a sort of promise, he trusted he might say a pledge, which he hoped would be supported, that the House would seriously set to work to do away those abuses, which it was in their power to remove. His noble friend had observed, that the gift of a place in reversion was not so likely to create influence as one in possession. But he (earl Grey) believed, that if one of the teller-ships of the Exchequer now became vacant, the monarch would have it in his power to grant it both in possession and reversion. He wished the amount of the saving that would be produced to the public was likely to be greater, but, however small it might be, he considered the principle as entitled to support. He would be as unwilling as any man to hold out to the people any lure which might divert their attention from objects of greater magnitude—but he thought it a strange mode of reasoning, when the country complained of great evils, and a measure calculated to do some good was proposed, that it should not be supported, because its operation was not very extensive. If the people saw, as on former occasions, that the whole power of the government was exerted in opposition to a measure which that government itself spoke of as unimportant, what hope could they have of succeeding in having their weightier grievances redressed? On many points he was as

merchants, manufacturers, and ship owners of the town of Dundee, was presented and read; setting forth,

"That they think it their duty to call the attention of the House to the approaching discussion on the renewal of the charter of the East India Company; and that, were the trade presently monopolized by that company laid open to the individual enterprize and capital of British merchants, it would, in a great measure, make up for the present exclusion from the continental markets; and that the policy which dictated the withholding charters from the former established companies, applies equally to the withholding that of the East India Company, and would, in like manner, be followed by an increase of maritime and commercial resources to the whole empire; and that, while it has been deemed expedient to restrict the commerce of neutrals, in order to counteract the anti-commercial decrees of the French government, yet the India trade is open to all the world except the British merchant, the monopoly thereby operating directly in favour of foreign nations; and that, as a proof of this, it is well known that the American merchants have carried away a great part of the China trade formerly enjoyed by the East India Company, and have been able to undersell them in many of the European markets, thereby shewing the superiority of individual industry, economy, and enterprize, when opposed to the negligence and prodigality of a joint stock company; and that although at the time of the original grant of the company's charter, it required the fostering hand of government to encourage the East India trade, yet this state of things has long since ceased, the wealth of the community was then comparatively small, and required the joint capital of a number of merchants to undertake any enterprize of magnitude; but, while the empire has increased in strength, in riches, and in importance, the eye of the British merchant is naturally turned to the East for the employment of his industry, his wealth, and capital; and that, while a free trade to India would not only turn the wealth acquired by the foreign merchant into the pockets of the subjects of this country, but would be the means of increasing our revenue and maritime resources, it would not be the least acquisition that the trade hitherto confined to the port of London would circulate through the whole empire, thereby opening a field for the capital

and enterprize of every merchant, in whatever part of the kingdom he may be situated; and that, finally, while the Petitioners would intreat that the trade from the Cape of Good Hope to the Straits of Magellan be no more excluded from the great body of the British merchants, yet they hereby disavow all interference with any rights, territorial or political, which may be enjoyed by the East India Company; and praying the House to adopt such measures as to them shall appear best adapted to promote the commerce and prosperity of the empire."

A Petition of the merchants manufacturers and shipowners of the burgh of Arbroath, county of Forfar, was also presented and read; setting forth,

"That the Petitioners feel themselves called upon at this time, in common with their fellow subjects, humbly to represent to the House their sentiments in regard to the charter granted to the East India Company, which expires in 1814; and that commercial monopolies are acknowledged to be unjust in their principle, and mischievous in their consequences, particularly such as that enjoyed by the East India Company, embracing an exclusive trade from the Cape of Good Hope eastward as far as the Straits of Magellan; and that, were a field so extensive laid open to the individual enterprize and capital of the British merchants, it is the Petitioners' humble opinion that it would be attended with the happiest consequences, particularly at present, when, by the rigorous adoption of the anti-commercial system, the commerce and manufactures of the country are unfortunately so limited; by withdrawing the charter, industry would receive an additional stimulus, bread would be procured to a great number of individuals who are at present reduced to idleness and poverty, the resources of the country would be materially improved, and a nursery established for seamen, on which depends our very existence as a nation; and that, although the individuals of these realms are excluded from the said trade, yet the benefit of it is extended to neutrals, who, it is well known, are able to compete with the company itself, both on the continent of Europe, and within the very countries included in their monopoly; this, therefore, is a measure degrading to the national character, and humiliating to individuals; and that, as every port in the kingdom ought to participate in the advantages of foreign trade,

it is contrary to the wise principles of a liberal policy, that the East India trade should be confined exclusively to the port of London; and praying the House to take the premises into serious consideration, and to grant the relief so much desired."

The said Petitions were ordered to lie upon the table.

HIGH PRICE OF PROVISIONS.] Mr. Curwen. Seeing the right hon. the Chancellor of the Exchequer in his place, I feel myself reluctantly called upon to intreat his attention to the present high price of grain. I say reluctantly, because I am fully aware, that extreme caution should be used in mentioning any thing that may be likely to create alarm on so serious a subject as a scarcity of provisions. But, impressed as I am with its importance, I could not excuse myself if I were not now to bring it under the notice of the House. The right hon. gentleman will do me the justice to bear testimony that the views I have taken, are not the creation of a moment, since at the conclusion of the last year, in the end of October or beginning of November, I stated to him my firm conviction (the result of a circuit I had just made through the country) that the crop would be deficient, and that early measures ought to be taken to guard against the inconveniences which I foresaw must ensue. These sentiments I conveyed to the right hon. gentleman at a time when the competition between sugar and grain in the distilleries was in contemplation. I now, therefore, again beg leave to state the confirmation of my fears, and to tell him that there has been a most alarming advance in the price of grain in various parts of the country; and this very day's post has conveyed to me intelligence, that in a place particularly connected with my interests, and inhabited by my constituents, serious disturbances have broken out, in which some lives have been lost, and more are endangered. I trust, that in stating what I now feel it my duty to mention, it will not be said that I am exclaiming, that there is not sufficient grain in the country to avert the calamity of a famine, if it be properly managed, but if the same supineness still exists, which I have previously complained of, with regard to the main basis of national prosperity, I mean the agricultural interests of the country, the most melancholy consequences are to be apprehended. I should have thought that the proof, that in the last year there were

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no less than two million quarters of grain imported into the kingdom, would have been a sufficient inducement to a wise and provident government, to have adopted some legislative measure to prevent the recurrence of such a circumstance.

I do not mean to spread any unnecessary alarm, for my firm belief is, that if well husbanded, there is a sufficient supply of grain to answer our necessities. I do not dread any thing like a famine, but I believe that the price will soon be so high, as to press with great severity upon the labouring poor. I therefore think that my duty would not be performed, if I did not attempt to point out at least a partial remedy, which, without bearing hard upon the lower orders, will leave the principal burden to be sustained, as it ought, by the higher classes of society. At least, in all cases like the present, the comfort of the lower orders, to whom most of the arduous occupations of life are assigned, should be contemplated much more than our own. I calculate that there are yet about twenty weeks to be passed before any new grain can be obtained, and I think by a simple measure we might be enabled to save sufficient for the supply of the country during three weeks of that period. I would suggest the saving of 600,000 quarters or 3 weeks' consumption, by the renewal of the Act of the 41st Geo. 3, ch. 16, by which, it will be recollected it, was provided, that bread should be made only of one quality. Taking the Winchester bushel at the usual weight of 60 lbs. it is calculated that it loses by grinding something more than 9 lbs. so that when the bran is extracted there remains only about 51 lbs. of flour. I think, that by leaving in a part of this bran to the quantity of perhaps only 2 lbs. another saving might be effected, while the bread made would be perfectly wholesome and nutritious, although not so palatable. It would also very much lessen the consumption of bread, if flour were applied solely to that purpose, and were banished from the kitchen as an article of luxury. By these expedients, I should imagine, that one twentieth part of the grain used might be rescued from waste, and applied to the sustenance of the inhabitants of the country. I am quite sure, that upon this subject there can exist no party feeling, however it may be displayed on minor occasions; there can be but one opinion, and that is, to secure by every prudent means that, can be adopted, the comfort of the lower

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classes of the people, who, when they see their legislators exerting themselves so strenuously for their welfare, will cheerfully bear many privations which at present are more than irksome to be indured. I conceive that a few slight alterations, in the statute I have named, would completely effect the object I have in view, and if any assistance were required by the right hon. gentleman, I should be extremely happy to afford it in any way that is within my power.

The Chancellor of the Exchequer. I have not the slightest difficulty in admitting that the hon. gentleman did, as he has said, acquaint me with the apprehensions he entertained, that the harvest of last year would not be so productive as some persons imagined, and that he did besides pledge himself to support with his interest any measure government might be disposed to suggest, in consequence of the information he so conveyed to me. But I cannot help thinking, whatever may be the scantiness of the harvest of last year, that there is no reason to fear any thing like a famine in the country, and it appears to me neither to be well founded nor to be consistent with the candour I should have expected from the hon. gentleman, that he should accuse as he has done, the government, of supineness with regard to the agricultural interests of the country, with which he is so largely connected. Does he recollect the measure which was, during the last session, introduced by me into parliament regarding the distilleries, and which, by the influence of the hon. gentleman and his friends, was rejected? The object of that Bill was to allow the distiller, when grain should rise to a certain price, to employ sugar in the production of spirits.—Was this an instance of that supineness of which to-day we are told, or rather was it not an instance of a great anxiety on the part of government to guard against circumstances like those now brought under the notice of the House?—With what wisdom that measure was thrown out; on what solid reasons, it is not for me now to speak, because parliament sanctioned the opposition given to it by its vote; and yet in the very same year, and after this successful resistance of the measure I proposed to remedy the evil, the hon. gentleman gave me to understand that he apprehended a scarcity.—Although I was disposed to give every degree of credit to the information then afforded to me (particularly receiving it from a

quarter in which I was sure it would be reluctantly stated) yet I felt, after the termination the House had come to that session, that it would be highly improper for government again to attempt to interfere. It will be recollected, likewise, that it was by no means a conceded point at that time throughout the country that the harvest was so defective, and the measure proposed and successfully resisted was, I thought, all that could be reasonably expected. I trust, therefore, upon the charge of supineness, at least, we shall stand completely acquitted.

The statement made yesterday, that the production of two bushels of corn an acre throughout the country, would fully supply its necessities, might perhaps be true; but I am at a loss to imagine how it is to be accomplished, unless the hon. gentleman can prove that the bringing in of an act of parliament would produce the miraculous effect of immediately causing two bushels more to grow on every acre of land; and in thinking that it would not, I do not apprehend we are justly chargeable with supineness. I admit that some benefit might perhaps be done by the suggestions and operations of vigorous and enlightened minds; but the act itself could certainly afford no remedy. As to what the hon. gentleman has advised on the subject of the act of parliament, the House will not expect that at this moment I should be able to give a decided opinion either one way or the other; but I appeal to the experience of every gentleman, whether the advantage derived in 1801 from the Bill then passed, if any, was not very inconsiderable? The impression upon my mind, and generally I believe throughout the kingdom, was, that more mischief than good resulted from the interference of the legislature on that occasion. Discussions in parliament, such as are now brought under our notice, attempting to lower the price of human food, defeat their own object. The act of the 41st of the King was hardly passed, before it was discovered that its execution was utterly impossible. I therefore trust, that if we have not now introduced a Bill, or appointed a committee to enquire into the subject, the House will rather attribute the neglect to a mistaken view with which we have been impressed, than ascribe it to inattention to our duty, or to supineness in promoting the welfare of the country. It has been truly said, that this is a question which can give rise to no party feelings; every

man, whether his station be high or low, can have but one object, not only from motives of humanity and kindness, but from the most obvious motives of personal interest. The measure usually adopted in such occasions of stopping distillation from grain, was resorted to almost as soon as parliament was convened. The consideration of government has also been directed to the distillation of spirits in Ireland, in order to decide whether the period be not arrived, at which an attempt should be made to prohibit the use of grain, but they have been convinced of this, that unless there be in that island a strong and universal sense that the measure is absolutely necessary, it would be a vain attempt; the economical regular stills would be prevented from working, and the wasteful mode by private and illicit distillation would be substituted. The consumption of the article would not be diminished, and thus the revenue would be injured without any advantage to counterbalance that injury. The diminution of the revenue, I admit, ought not for a moment to be put in competition with the general comfort and support of the people, yet the nation would thus be doubly pressed, in the first place by the deprivation of grain, and in the next, by defalcation in the revenue. The real question to be decided, is, whether by adopting the measure, any relief would be afforded? The hon. gentleman has not communicated to me a single idea with which my mind has not been long deeply impressed, and if he can suggest a proposition which would be really effectual, nothing will give me greater pleasure than to support it. I am persuaded that he now introduced the subject with the most generous and patriotic feeling, but I would advise him well to weigh the practical effects which have been produced on former occasions by the merestatement of theoretical calculations.

Mr. Curwen again rising,

The *Speaker* observed, that there being no question before the House, he doubted much the propriety of continuing the conversation.

Mr. Curwen said, he should give notice of a motion to the House on the subject. He did not mean to charge the right hon. gentleman with supineness on the present occasion particularly, but the importation of last year ought to have shewn the necessity of an enquiry into the best means of obviating it in future. He had no doubt, but that the present scarcity of

specie was in a great degree owing to the bullion sent out of the country to pay for the grain, of which 8,000,000 worth had been imported in the last year. An alteration of the importation price would have effected the object. With regard to the measure which he had recommended, that it was practicable was certain, and in the north the larger portion of the population lived upon no other kind of bread than such as the Act of which he advised the revival would produce. His letters received that morning from Cumberland informed him, that wheat had risen no less than 30s. per quarter. He gave notice, that unless some circumstance should occur to alter his resolution, he would on Monday move for a Committee to inquire into the present causes of the high price of grain.

IRISH MILITIA.] Sir J. Newport begged to ask a right hon. gentleman opposite, if the Irish Militia officers had been yet exempted from the payment of the property tax.

Mr. Secretary Ryder replied, that in future they should be so exempt, and that whoever had paid property tax in the Irish Militia should have it refunded.

Sir J. Newport said, that when the Bill for the interchange of the militia was before the House, the right hon. gentleman positively stated that they should be exempted.

Mr. Secretary Ryder denied his having made any such statement.

Sir J. Newport persevered in his declaration; and added, that the right hon. the Chancellor of the Exchequer had concurred in the statement.

The *Chancellor of the Exchequer* assured the right hon. baronet, that as far as his recollection served him, what was said, when the Bill was before the House, was, that the officers generally should be exempt from the assessed taxes. When the right hon. baronet said, that he understood it in another way, certainly the right hon. baronet must think so; but he (the Chancellor of the Exchequer) was persuaded that it had been just as he now stated it. When the Bill was pending, he looked upon the Irish officers in the light of persons compelled to be resident here, and therefore liable to pay taxes only accordingly. Arrangements were, however, now made completely calculated to remove every ground of complaint on the part of the officers.

Sir H. Montgomery quoted the words em-

ployed by the Chancellor of the Exchequer on the occasion alluded to.

The *Chancellor of the Exchequer* remarked, that the exemption applied to the property of the officers, and not to their pay. In consequence, however, of representations made, it had been determined by government to concede the point.

Sir J. Newport added, that the tax was deducted out of the pay of the last quarter.

Mr. W. Pole acknowledged that it had been charged up to the present time; but an order had been sent to the Commissioners, in future not to deduct the property tax from the pay of the Irish militia officers.

Sir J. Newport rejoined, that so strictly had the deduction been attended to, that it had been made from the very moment some of the officers embarked for England, from Ireland.

The *Chancellor of the Exchequer* terminated the conversation by stating, that the delay had originated in a question whether the exemption could be made under the old act, or whether a new bill would be required. It had now been determined, that by the construction of the former statute no new enactment was necessary.

GOLD COIN AND BANK NOTE AMENDMENT BILL.] On the question that the House do resolve itself into a Committee on this Bill,

Mr. Parnell said, that he rose for the purpose of moving, as an amendment, that the further proceedings in this Bill should be postponed to this day fortnight, for the purpose of appointing a select committee to enquire into the state of the currency in Ireland, as the Bill related so much to that country, that every information should be obtained upon its probable effect upon the interests of the different classes there. He would endeavour, with the permission of the House, to put them in possession of the situation in which the paper currency of Ireland was placed. In the year 1804, a Committee had been appointed to enquire into the state of the bank paper here and in Ireland, and it appeared from their report, that the value of the paper issued by the bank of Ireland, in 1797, that the issues had not exceeded 6 or 700,000*l.* and the exchange between London and Dublin was at 5½ and 6¾; after that, in 1804, the issues had increased to 2,986,000*l.* and the exchange to 18. In Belfast, the exchange was in their favour, and a person wanting a guinea was forced to give two shillings

for it, which was necessarily owing to the depreciation of paper. It appeared, then, that the Irish bank paper was in a progressive state of depreciation, and for this assumption he had very high and great authority, and that of a description which most of the gentlemen opposite would not be disposed to dispute, for the facts on which he assumed the depreciation of Irish paper, were to be found in the report of that Committee, which was composed of Mr. Pitt, Lord Castlereagh, Mr. Yorke, Mr. Rose, Mr. Long, Mr. Vansittart, Mr. Manning, Sir John Sinclair, Mr. Thornton, and others. When he had such authority, it could not be denied that he was correct in his statement. But in addition to this, he had also to refer to the opinion of an hon. member (the member for Old Sarum) who acknowledged that the paper in Ireland was depreciated, the reason of which was, the discount upon the country. Before the House agreed to make the paper of Ireland a legal tender, it ought to be shewn that the paper, which was depreciated in that country in 1804 (according to the report of the Committee) was not now in that state, but in such a one as authorised the House to make it a legal tender. He conceived that it was impossible to make out that case; but if the enquiry which he proposed was instituted, the result would be, that the bank paper of Ireland was more depreciated now than it had been in 1804, and this fact would appear from an examination into the state of the exchange, and into the value of the paper, compared to the discount. If the exchange between London and Dublin was at 18 per cent. when the Committee in 1804 had ascertained that a one pound note and a shilling would purchase a guinea in Ireland, yet the exchange would now be at 25 per cent. and upwards, instead of 18. If the Committee in 1804 had compared the exchange with Hamburgh, they would have found that it was 18 per cent. against Dublin, to the correspondent in London; and if they had made a late estimate, it would be 25 per cent. against Dublin; therefore the depreciation was greater than in 1804. Next, as to the value of paper, with respect to discount, or of paper on exchange, with gold, the result would be the same. It was perfectly justifiable to assume, that this Bill made paper a legal tender, though it was not set out to be so; for as the prices would be always regulated by the value of the currency, the only case where notes, being made a legal

tender, would be of consequence, was in old contracts, which would be materially affected. He therefore wished for a delay, to ascertain whether the facts he had stated were correct or not; for the House, under such circumstances, could not accede to the proposition of the right hon. gentleman. In a matter where the interests of Ireland were so deeply concerned, they should not come to a decision without giving an opportunity to protect its interests in the matter now before them. But it was argued that the Bill was effectual in this country, and therefore that it ought to be extended to Ireland; but when gentlemen made use of this argument, they must be ignorant of the different situations in which the landlord was placed in that country. Here the leases were for twenty-one years, or a shorter term, and the landlord was sure of a remedy; but in Ireland, where land was held under leases for long terms, of which three lives was the shortest, the state of things was very different, and the landlord suffered in proportion to the depreciation, without any chance of being able to put himself in a just situation afterwards. Besides, the usage here had been to receive bank-notes since the restriction; but it was not so in Ireland, where the national bank itself had not been established until the year 1783, only 14 years before the restriction of payment in specie in this country.—It was not, at the time leases were made in Ireland, the custom for tenants to pay their rents in paper; but if they were now to be authorised by law, so to do, the effect of such a measure on the landlords would be infinitely worse than the Income Tax in this country, as it would diminish their revenue by one-fourth, without adding the least degree to the resources of the state. The hon. gentleman could not conceive, besides, the necessity or even the utility of extending to Ireland the provisions of a Bill, which was intended to prevent a double marketable price for goods in this country, when it was universally acknowledged that such a double price actually existed in Ireland. The hon. gentleman then adverted to the occasional depreciations which had taken place in respect to the bank of Ireland paper, notwithstanding the high degree of confidence it had always enjoyed. The bank of England enjoyed the same credit, but the issue of their paper was under the controul of parliament, which was not the case in Ireland. In that country there was no

check whatever to the issue of that very bank paper already depreciated, and which this Bill was to force on the people as a legal tender. In such circumstances, he maintained, that the only effect of the Bill would be to take the money out of the pockets of the landlords and other creditors, to put it in that of tenants and debtors. It would not raise public credit, as had been asserted, but hurry down its rapid decline, till we were brought within the verge of bankruptcy. Notwithstanding all those strong objections to the measure then under consideration, the hon. gentleman would not vote for its absolute rejection at present; he wanted only for delay, to enquire into the circumstances which might render it advisable to extend the provisions of the Bill to Ireland; and he would in consequence move, "That the Bill be committed this day fortnight."

Mr. *George Johnstone* observed, that the matter under discussion was no longer susceptible of that variation of opinion by which its examination was distinguished last year. The question, whether depreciation did or did not exist, was now at rest: time, which solved every thing, had solved that; and no one would now deny that it did exist. The fact had been with much candour admitted by the right hon. the Chancellor of the Exchequer, and if it needed proof he would ask whether, of any commodities, more might not be purchased for one hundred guineas than for one hundred and five pounds. The silver tokens too, which the Bank had issued, were another proof. These tokens professed to be worth three shillings each, while in fact they contained no more silver than what was contained in half a crown: The same quantity of silver that used to be put out for fifty shillings was now put out for three pounds; and that he thought a sufficient proof of depreciation. Perhaps it would be said, that the half crown, worn and defaced as it was, did not contain more silver in proportion, than what was contained in a Bank three shilling token. This he would admit; but then it should be remembered that 24 of those half crowns were exchangeable for 60 shillings in gold. Looking at these circumstances, therefore, no one could deny the fact of depreciation, and that fact being granted, what did the Bill then before the House propose to do? that which Adam Smith, Hume, and lord Liverpool had stigmatized as an act of fraud, when done by any government whatever; namely, to

force creditors to receive in payment a depreciated currency. By its operation the state proposed to pay its own creditors, in a paper professing to be worth twenty shillings, when in fact it was only worth sixteen; while individual creditors would be placed in a similar situation. Yet he could be content to accede even to such a measure, if by its adoption the country could afterwards return to a metallic currency. This, however, there was no prospect of, for he saw nothing in the constitution of the bank of England, which should exempt it from the fate which had attended all banks that had been so closely connected with the government of the country. To shew what this fate had uniformly been, he would go into a history of all banks. He was aware the proposition sounded formidably, but he would do it with every possible conciseness. He then discussed, at some length, the history of the principal banks in Europe, from the first institution of the bank of Venice to the present day, drawing this inference, that banks of deposit were extremely beneficial wherever they were established, and that they had always remained perfect and entire where the state had not interfered; but that where the state had interfered they invariably fell, first into discredit, and then into ruin. The same had been the case with respect to banks of circulation, as a proof of which he referred to those of Austria, France, Prussia, &c. all of them ruined by their connection with the government, because what government borrowed it never paid. He did not wish to be understood literally, but his meaning was, that government commonly paid one loan by borrowing another, like individuals who took up one bill by getting another discounted. So dangerous, indeed, did he consider the connection between the state and the Bank, that he should have little fear about passing the Bill, if he could but see the one separated from the other. Were that the case, and if the Bank were left to itself, he believed it would soon diminish its issues until notes were worth what they represented. Those Banks he contended, which had not been intermeddled with, such as Amsterdam and Hamburgh, had maintained their credit until ruined by an overwhelming force. Adverting to the Banks in America, while America was a colony of England, he shewed, that although those establishments were under the controul of parliament, they had been so profuse of

their paper, and it had been depreciated to such a degree, that two acts of parliament were passed under queen Anne, to relieve the creditors defrauded by such depreciation. He read extracts from those acts, and maintained that the principles of the present Bill were in direct contradiction to those statutes. He knew that it was said on the other side, that there was no excessive issue of bank of England paper—this, however, he positively denied. The Bank directors were forced to it, by the large portion of their capital they had advanced to government. To the transactions of the bank of England with government, he attributed the partial distress under which it had sometimes laboured. The only way, he maintained, to raise the credit of our paper currency, was to pay to the Bank part of the money due to them by the country—that part, at least, the 3 millions, which had been borrowed under the sanction of parliament. He was sure the country, even in the present circumstances, was able to afford it; and, at any rate, money would be more beneficially employed in that way, than in supplies to Portugal and Sicily, employed for no other purpose that he could see, but to enjoy the miserable pantomime of making and unmaking kings. He would not, however, attach to ministers the exclusive blame the present system deserved: they had been, like their predecessors, imperceptibly drawn into it—like the individual in distress, who catches at any thing to avoid impending ruin; but any man who could divest himself of national partiality must see, that bankruptcy would inevitably be the consequence of the present system in England, as it had been in every other country. Adverting to the allowance to the officers of the Irish militia of Property tax on their pay, he observed that the time would soon come when the annual deduction of property tax would be made from the pay of the officers of our army and navy; and he could see no reason why English officers should not receive the same allowance as the Irish. The depreciation could not go on much farther, and government were only deceiving themselves, if they thought that they received any real advantage from the continuance of the present system. They would soon have the same claim to listen to in every department, which had been allowed to the Irish militia officers. The first thing to be done, was to pay to the Bank the money due to them by the country.

Surely this could not be beyond our means. We ought to refrain from passing the present Bill, and allow the existing law to have its due operation. The act of the 37th of the King allowed country bankers to issue one and two pound notes; but at the same time allowed the holders of them to enforce prompt payment, by an attachment of the goods and chattels of those bankers. Were they now to be let loose from the operation of this law? They had no claim under the Restriction Act for this allowance; to issue small notes under such a condition, took place after the passing of that act. At all events he could see no reason for extending the Bill to Ireland. Neither ought it to be extended to Scotland. In England all private bankers might be said to be implicated with the bank of England, excepting with respect to one and two pound notes; but it was not so in Scotland, which had a distinct circulation of its own, and consequently ought to be kept out of this arrangement. This would serve as a warning to England, and would hold up a mirror to enable us to see the extent of our own shame and disgrace.

Sir J. Newport would not follow the wide range of argument adopted by the hon. gentleman who had just sat down, but would adopt the same line as his hon. friend (Mr. Parnell,) and consider the subject of the present Bill solely as it affected Ireland. Like him, he would ask the House to give some time for enquiry, in order to ascertain how far it might be advisable to extend the measure to Ireland. At present, the only ground which the House had to proceed upon, was a single petition, presented by a noble lord, from a corner of Ireland, and signed by fourscore individuals whose secret motives the House had no means of ascertaining. He had no doubt of the respectability of many of the petitioners, some of whom were known to him; but still the House did not know whether they were landlords or tenants, or whether or not they were mostly attached to the mercantile interest, and paid much more than they received in rents. On such light and uncertain grounds, he thought that the House could not possibly consent to a measure, which would be as revolutionary in Ireland, in respect to property, as any ever devised in France by Robespierre. In support of that assertion, he quoted a case alluded to by an hon. friend of his, in which the measure in contemplation would, on a small estate of 1,600*l.* a year

make a difference of 300*l.* in favour of the tenant; and he appealed to the sense of the House, whether such a measure was not revolutionary, in the strict sense of the word, in respect to property. Gentlemen would be more sensible of this, if they were aware of the long tenures by which lands were held in Ireland, and which from the change of the times, left the landlord but a small share of his property, yet this small share was still to be further reduced by a depreciated circulating medium. It was true, that in many instances fines had been received in consideration of long leases; but this did not alter the nature of the original contract, nor could it operate as an argument to reduce that part of the rent which the landlord had reserved for himself. The depreciation of Irish bank paper had begun before the great rise in the price of the bullion, according to the report of the select committee on Irish currency, of which Mr. Pitt, Mr. Foster and Mr. Rose were members. In the depreciation of bank of Ireland paper which had formerly taken place, the landlords had their option and their remedy. But this would not be the case under the present Bill, nor were the circumstances the same; for the bank of Ireland was not then restrained from paying its notes in specie, and gold could be procured. As soon, however, as the measure had been thought advisable in this country, Ireland had been compelled to follow the example, he supposed on the ground that what was good for England must be good for Ireland also. The restrictions from paying in specie had been thus forced on the bank of Ireland against the opinion of the directors; and it was, he supposed, in consequence of that compulsion, that no enquiry had been previously instituted into the state of their affairs. Certain it was, that to this day the House knew nothing of the affairs of that Bank, whose paper they were going to force on the population of Ireland. Was this doing justice to that country? He believed that the bank of Ireland was perfectly safe, and that their affairs were in a prosperous state; but he knew nothing of it as a legislator, and as such he could not act on belief. He next adverted to a resolution which stood in the Journals of the House, importing that Bank-notes were held in equal estimation to gold, and maintained, that for consistency's sake that clause should have been expunged, previous to the introduction of a Bill which affirmed

directly the contrary, and went to provide a remedy for the inconveniency resulting from the depreciation of those very Bank-notes. It had been stated to the House by a right hon gentleman, that bank of Ireland paper was now at a regular discount, and that a guinea was currently at a premium of five shillings and sixpence; who could tell what further depreciation might take place in a short time, and what further losses this Bill might entail on the holders of ancient contracts? But those considerations had escaped the noble lord who had presented the petition alluded to. Perhaps, too, he had been actuated by motives far different to those alleged; and at the eve of an election he might have wished to enlist under his banners a large body of tenantry, who had before received his advances with abhorrence. He would ask, on what grounds the House could deny the enquiry which had been demanded? An enquiry had taken place into the affairs of the bank of England, before its paper had been forced on the people of this country; how could they in justice refuse the same security to Ireland, and how could they continue to be styled the Imperial Parliament, when the interests of such a large portion of the empire as Ireland were constantly neglected?

Lord Castlereagh denied that the present measure rested merely on the petition which he had had the honour to present; but it appeared to him, that the hon. baronet had been extremely parsimonious in his arguments, and had laid no grounds whatever before the House for delaying the measure. He was glad to hear that the hon. baronet had himself no doubt of the solvency of the bank of Ireland; and as Irish bank restriction had hitherto been enacted *pari passu*, with the restrictions of the bank of England, and without any enquiry, he thought that there was no occasion for any in the present instance. The hon. baronet had stated that the House were yet without any information on their Journals, of the solvency of the bank of Ireland. This was an accusation against parliament; it was an accusation against the right hon. baronet himself, for having allowed the bank of Ireland to go on under the restrictions, without being assured of their solvency; for the right hon. baronet, though not a party to the restrictions, was yet accessory to the subsequent continuance. The right hon. baronet had stated the whole of Ireland as in a different situation from England; and seemed, in the

eagerness of his speech, to have forgotten, that it was in fact in only three or four counties of the north of Ireland, that the custom of taking in gold prevailed, and that seven-eighths of the people would be unaffected by the proposed measure. It appeared to him that it was a most intolerable hardship upon the tenant to require him to lose 20 or 25 per cent. in order to procure gold to satisfy his contract. As to the report of the committee on Irish currency, however highly he respected many members of it, yet he differed from them at the time in their conclusions; and his opinion was since confirmed by events. At the time of their report, the exchange was very unfavourable to Ireland, being about 10 or 11 per cent. They attributed this to the depreciation of paper, and were of opinion that it must continue unfavourable. Nevertheless a very short time after they had published their report, the exchange rose to par, from circumstances totally unconnected with what some called the depreciation of paper, but which he should always call the premium upon gold; and from that time the exchange had continued steadily about par. The petition which he had presented, notwithstanding the insinuation of the right hon. baronet, he could assure the House had been signed by men of the highest respectability, and was meant to apprise parliament of the existence of evils; and not to direct their opinion. In short he had heard no real arguments against the Bill, nor against the statements he had formerly made to the House.

Mr. Ponsonby thought that his right hon. friend (sir J. Newport) did not merit the taunt of the noble lord, of not having used arguments applicable to the question, the fact being that his right hon. friend had spoken directly to the question, which was, whether a delay should be granted to enquire into the case of Ireland? while the noble lord had spoken to any thing else, and to the general principle of the Bill. The real question before the House was, whether they were justified in extending this measure to Ireland? The noble lord said that gold had risen in price, and that it was not paper that was depreciated; but if this was the case, it seemed to him most extraordinary, that notwithstanding the increase of gold in the European world within these late years, it should, in proportion to its greater abundance, become dearer, which was exactly the reverse of the case with regard to

every other commodity. As for the return of the exchange in Ireland to par, as noticed by the noble lord, he would remind him that there were two ways in which things might meet: they might come together by the one thing standing still till the other came up to it, or they might come together, by both walking to a meeting. Was it then that the bank of Ireland paper had risen, which caused this coming to par after the depreciation?—No; but the bank of England paper had fallen and sunk to what the bank of Ireland paper was before.—The noble lord had also told them that this Bill would make no alteration, except in three or four counties in Ireland, and that seven-eighths of the country would be unaffected by it. If so, it was strange that these seven-eighths of the people had not sent in representations and petitions to them last year, praying for an extension of the measure then passing through parliament. But he contended, on the contrary, that it made a great and general alteration in the country; much more than the gentlemen of England were perhaps aware of. For the tenure of land in Ireland was very different from what it was in this country. Here the greater part of the soil was not let on lease, and much of the remainder on leases of from 7 to 14 years. In Ireland much of the soil was let for ever, or for terms of 99 years; and the common leases, till within these 20 years, were at the shortest for a term of three lives or 31 years. Therefore, to suppose, that this measure was to afford relief to poor persons, or tenants at rack rent, was a misconception. The contrary was the fact; and, in many cases, the interest of the tenant in the land was more valuable, and could be sold for more money at market than the interest of the landlord. As for the hardship of calling on tenants to pay this great premium for gold, in order to fulfil their contracts, it should be remembered, that it was only an increased nominal value which they paid. But was it in nature to be supposed, that it would be the general practice of landlords to call on their tenants, in a manner to distress them, and ultimately render them unable to pay at all? This could not be imagined; and, on the other hand, ought not the landlord to have the real value for which he originally let his land? Suppose for instance, the depreciation went on, as, from all experience they were bound to believe it must do, what would be the situation of

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the landlord? He would ultimately be reduced, comparatively speaking, to starvation, while his tenant would enjoy a profitable estate. This, then, was the question, whether they were prepared to extend a measure of such sort to Ireland, without its being called for by that country, and without previous enquiry? If the sense of the House should decide on this, at least the period of the operation of the Bill ought to be limited. They ought to be aware, that they were setting aside specific contracts made for gold, and, if they did this, why were they not to deal out an equal measure to this country, and interfere with those bargains, by which the tenant was bound to pay part of his rent in grain? The sense of justice in the House was too strong, not to administer to both countries the law in the same manner. On these grounds, he was in favour of the amendment. Much had been said of the bank of Ireland. He believed it to be in as good a state as any body of the same kind, and with as good pretensions to character, as it never had entered into engagements which it was not able to fulfil. But still he deemed enquiry necessary, in order to be able to make the measure bear less hard on individuals.

Mr. Wellesley Pole expressed himself happy to have heard the right hon. baronet (sir J. Newport), and the right hon. gentleman (Mr. Ponsonby) deliver their opinions on this subject, as it would thence be seen how they valued the interests of the tenantry of Ireland. Under the pretence of delay, for the sake of enquiry into the solvency of the Bank, which they all declared to be solvent, the whole of their arguments went to shew that the measure was not necessary to, and ought not to be extended to Ireland. They contended that the tenant in that country should be left without the guard against the demands of the landlord, which the legislature had thought necessary in England, and that it was the landlord who wanted protection.—But it was a gross fallacy to put upon the House that because no other petitions had come before them, the people of Ireland were not desirous of the extension of this measure. The greatest alarm had prevailed among the monied men and tenantry last session, when it was known that the Bill was not to be extended to Ireland, and application had been made to government on the subject. He firmly believed of the present Bill, that the greatest ferment and dissatisfaction would be

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excited if it were not extended to Ireland, and not if it were extended, as argued by the right hon. baronet. He agreed with the gentlemen on the other side as to the difference of the land tenures in the two countries; but he drew a different conclusion from that fact: for, what would be the situation of the seven-eighths of Ireland, in which now, as was confessed on all sides, gold and notes were received indiscriminately, if the law was not extended? The right hon. baronet and right hon. gentleman spoke with great feeling about the landlords, who, in common with the tenants over this part of the country, had all their dealings in paper equally as in gold; but they would subject the tenants to the liability of being called on for 5s. 6d. premium for every pound they had contracted to pay. He would suppose another case not very improbable:—suppose a tenant had last year fined down his rent from 500*l.* to 250*l.* a year, by the payment of a fair sum; if this law were not extended he would be left liable to an additional charge of one-fourth more, or 20 per cent. Did not the tenant, in these cases, stand in need of relief? and yet these were the tender mercies of these right hon. gentlemen towards them. All he asked for was, security to the tenantry in Ireland similar to that enjoyed by the tenantry in this country—but this the right hon. baronet called revolutionary. The right hon. gentleman talked of their not legislating equally towards the two countries, while, by a wonderful perversion of the understanding, he was objecting to their extending the benefit of the law from the one to the other, and not leaving the tenant in Ireland exposed to the ban of the landlord, from which in England they had rescued him.—With regard to the depreciation that had existed, in contradiction to the right hon. gentleman, he maintained, that while for four years after the period alluded to the paper in England had remained stationary in value—that of Ireland rose to par with it. The right hon. gentleman would also induce them to believe that all tenants in Ireland were rich, and therefore they ought to be left liable to be charged one-fourth more than their agreed rent. Had he forgot the forty shilling freeholders? Were they rich men, and would not they be the first, through the middle men who oppressed them, to feel the effects of the tenderness of the right hon. gentleman? He concluded by saying he had always approved of the mea-

sure, and as he thought it ought in justice to be extended to Ireland, he would not consent to any delay which would have the effect of precluding it.

Mr. Ponsonby, in explanation, said he had never called the law of last session a benefit to England, and therefore could not be represented as wishing to withhold that benefit from Ireland. He had never represented all the tenants in Ireland for three lives as rich, but only that some of those for 99 years, and for ever, had greater interests in their lands than the landlords. The right hon. gentleman might expect, by this measure, to acquire popularity—

Mr. Pole rose to order, and enquired of the Speaker if this was explanation?

The Speaker said, the right hon. gentleman professed to speak merely in explanation, and he thought he had as yet done so.

Mr. Ponsonby was glad that the chair considered him not out of order, though had he been so, and interrupted as being so by the hon. gentleman, he would not have been interrupted by one who had been very remarkable for his own punctilious adherence to order.

Lord A. Hamilton was in favour of the adjournment, and thought the gentlemen opposite had, in their arguments to-night, admitted what they had formerly denied—that paper was depreciated. In the same breath however that they argued that the Irish tenant, if this Bill did not pass, would be obliged to buy guineas at 26 shillings a piece to pay his rent, they contended that paper and gold were equivalent. He was asked if he would not give the same benefit to Ireland as to this country? But might not the same measure to persons in diametrically opposite conditions, be of a very different character; and was it not even confessed, that the effect of this Bill would be different on the northern part and in the other parts of Ireland. He objected to the measure altogether, as connected with a fallacious line of policy.

Mr. Herbert supported the Bill.

The Chancellor of the Exchequer admitted that there were parts of Ireland to which the Bill would not readily apply, but it applied to much the greater part of that country; and it would be most unjust to permit the Irish landlord to drag his tenant to prison for non-payment in coin, while the landlord enjoyed no such power in this part of the empire. He allowed there was some difference in the state of the countries, but as at least four-fifths of Ire-

land was acknowledged to be in the same state as England, and as the only dissimilarity existed in a few counties in the north, in the choice of difficulties before them he was of opinion that sound policy and justice required them to extend their protection to the major part. With regard to the principle of the measure, the House had been told, that it would lead us into the same gulph of calamity with other nations whose paper currency had gone to ruin. Now, if such reasoning was correct, and such was the tendency of the Bill, we ought to have seen, at least, part of those dangers and calamities produced by the similar act of last year. During the operation of that act, if the reasoning of the gentlemen opposite was correct, the country ought to have seen a multiplication of paper, a rise in the price of bullion, and a regular depression of the foreign exchanges. But instead of all this, the very reverse was the case. The quantity of paper now in circulation was rather smaller than it was in last April. The exchanges were considerably improved, instead of growing systematically worse. In April of last year they were 30 per cent. below par; in July 25 per cent. then again 30, but now they were only at 14½. This improvement had not only taken place on the exchanges with Hamburg, but also on those with Paris, which in this month were at 18½, while in April of last year they were at 25. Instead of gold having risen, it had considerably fallen in price; all which circumstances shewed, that there was a complete distinction between the paper of the bank of England, as connected with the dealings of this House with regard to it, and the paper currency of other nations, which had been held up as a warning to this country. He had also the satisfaction of stating, that notwithstanding the distresses of our manufactures in various parts of the kingdom, the home consumption of excisable articles had rather increased than diminished. In the year ending the 5th of April, 1812, the excise had produced 17,950,000*l.*, while last year the same branch of revenue was only 17,399,000*l.* This increase of 600,000*l.* might in part arise from some small additional taxation last year; but he believed he was justified in stating, that 400,000*l.* of it arose from an increased consumption of excisable articles. It was true the branch of customs had suffered considerably; but he was now enabled to state, that the general

produce of the taxes for the year ending the 5th of April, 1812, amounted to 61,333,000*l.* The revenue amounted to 62,136,000*l.* on the 5th of April, 1811; and the defalcation this year would not exceed between 8 and 900,000*l.* which, considering the falling-off in the customs, afforded by no means an unsatisfactory view of the finances of the country. This information he had thought it right to communicate, as calculated to afford considerable satisfaction to the House, and, to shew that, whatever theories might be advanced, they had here the practice before them to prove that, with the circulation as established by law, they could support the revenue as it was. If his hon. friend's theory about paying in gold was right, they would be in no better situation by adopting it; but if erroneous, they would find they had been trying an experiment very fatal to the country. He trusted the House would therefore agree with him that there was not the slightest ground for alarm, and that they would not permit the extension of so beneficial a measure as the one now proposed to be retarded.

Mr. Thompson said, he differed entirely from all the opinions of the hon. gentleman (Mr. Johnstone). He had never known or heard of any bank that deserved to be compared to the bank of England, or whose credit had ever risen to any thing like an equality with the credit of the latter. He had heard much of depreciation arising from excess, but he confessed he saw no evidence of such excess. Gold indeed had risen in price as wheat had lately, from scarcity, and scarcity alone. The real wealth of a country, however did not consist in any amount of the precious metals, but in the amount of its effective labour, and if the export trade could but be re-opened, all our difficulties would disappear. The hon. gentleman had said, that the country bankers ought to be compelled to pay the twelve millions of small notes which they had issued, in cash; but it was rather hard to talk of forcing the country bankers to perform impossibilities. They had hitherto acted from a desire to accommodate, in the full confidence of the solvency and wealth of the Bank, and had first limited their issues far below the real amount of gold in their possession. He could not but be struck with the doleful tone in which the hon. member concluded. He had himself no such despondency, and considered the cases referred to as altogether inapplicable

to such an institution as the Bank, and to the present condition and circumstances of the country. If the people were unanimous, he had no doubt but that we should weather the storm, and find a natural remedy for the difficulties that surrounded us. As to what had been said on the connection between government and the Bank, he was fully persuaded of the perfect independence of the Directors.

Mr. *D. Magens* spoke against the measure, as belonging to a line of policy calculated to throw the country into a state of instability.

Mr. *Banks* acknowledged that the principles of political economy were strongly against the Bill, while it was supported by reasons of immediate expediency. Where there was only a choice of difficulties, he would submit to that which appeared the more tolerable, and in that view should support the Bill going into a committee.

Mr. *James Stewart* thought if it did not extend to Ireland that it would tend to the oppression of that country; on which account he would give his full support to the measure.

The House then divided on the question for going into a Committee :

Ayes87
Noes27
Majority—60

List of the Minority.

Babington, T.	Lamb, W.
Busk, W.	Lyttelton, W. H.
Brougham, H.	Marryatt, J.
Bennet, hon. H.	Morris, R.
Canning, George	Newport, Sir J.
Colborne, R.	Osborne, Lord F.
Creevey, T.	Ponsonby, G.
Dickinson, W.	Power, R.
Eden, G.	Taylor, W.
French, Major	Tierney, G.
Giles, D.	Thornton, H.
Grenfell, P.	Wynn, C. W.
Hutchinson, C. H.	TELLERS.
Johnstone, G.	Parnell, H.
Kemp, T.	Folkestone, Viscount

HOUSE OF COMMONS.

Monday, April 13.

PETITIONS FROM NEWCASTLE, LEITH, EDINBURGH, STAFFORDSHIRE, AND WOLVERHAMPTON, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.]
“ A Petition of the merchants, ship-owners, manufacturers, and others interested in the trade and manufactures of the town of Newcastle upon Tyne, and its port and

neighbourhood, was presented and read; setting forth,

“ That the various insurmountable impediments which the present deranged state of Europe opposes to British commerce, have impressed the minds of the petitioners with the deepest concern and alarm: a decreased and still decreasing trade cannot but be, in its ultimate consequences, ruinous to a very large and valuable portion of his Majesty's subjects, whose exertions, however prompt and assiduous they may be, must necessarily fail of producing the usual effects of well directed industry, for want of having a secure and sufficiently extensive field open to their commercial pursuits; and, that, under these circumstances, the petitioners look forward with great anxiety to the approaching expiration of those exclusive privileges which have been conceded for a limited period to the East India Company, and they cannot refrain from humbly expressing to the House their decided opinion that the renewal of such a commercial monopoly, in the present situation of the empire, would be a measure of the most fatal policy, which, by subjecting the efforts of individual enterprise to unreasonable restraint, must diminish alike the sources of private wealth and of national revenue; and that the petitioners beg leave to represent to the House, that, however necessary exclusive privileges of this nature may have been in the infant state of India commerce, the continuation of them is now no longer justified by necessity; and that the monopoly in question is attended with this peculiar circumstance of hardship, that, while it excludes the British merchants from all participation in trade with the countries between the Cape of Good Hope and the Streights of Magellan, the advantages to be derived from that commerce are open to all foreigners in amity with Great Britain, by whom a considerable portion of this very trade is now actually carried on, with the permission and under the encouragement of the British government, a fact which in itself alone affords a decisive answer to the argument which has often been urged with apparent confidence in favour of this monopoly, that the capitals of private adventurers are inadequate to the prosecution of so extensive and distant a trade; and that the petitioners cannot doubt but that, in whatever point of view this monopoly may be considered, either with regard to the unreasonableness of the privilege itself, or its injurious effect

upon the general trading interests of the community, the abolition of it must appear to be essentially necessary, as the most powerful, if not the only means, now left to this country, of securing her manufactures, her commerce, and her navigation, from an overwhelming distress in consequence of the very limited intercourse now left to British subjects with the European continent; and praying the House to adopt such measures as to them may seem most expedient to secure to the subjects of the British empire at large, from the expiration of the present Charter of the East India Company, a free trade with those extensive countries from which, by virtue of that charter, they have hitherto been entirely excluded."

A Petition of the merchant company of Leith, was also presented and read; setting forth,

"That, although the petitioners do not call in question the wisdom of granting originally to the East India Company a monopoly of the trade of those vast regions, yet they do not hesitate to declare that, in the present fettered state of the commerce of this country to most of the kingdoms in Europe, that monopoly should, in their humble opinion, be no longer continued; and that the petitioners consider the expiration of the East India Company's Charter a very fortunate circumstance, as it puts it in the power of the legislature to grant to the country that relief of which it stands so much in need, by giving a fair opening to the enterprise and spirit of all his Majesty's subjects; and that the exclusion of his Majesty's subjects from the trade to India, even while it is open to foreigners in amity with the king, is a grievance which the petitioners humbly yet confidently hope will be no longer continued; and that granting to the port of London an exclusive privilege for the importation of India goods is contrary to the natural right of every other port in the kingdom, and ought therefore to be discontinued; and that, should it appear to the wisdom of parliament necessary to grant at present only a portion of the relief so much wanted, the petitioners entertain a hope that no exclusive trade will be given to the East India Company further than from year to year, lest a grant for a longer period should stand in the way of that gradual, open, and unfettered commerce to India, which the petitioners humbly yet confidently hope will ere long

be given to all his Majesty's subjects; and that, deeply impressed with these considerations, the petitioners join with all their fellow subjects in dutifully and respectfully submitting to the wisdom of the House the subject of this Petition; and praying the House to adopt such measures, and grant such relief, as may appear best calculated for the general welfare and advantage of the British empire."

A Petition of the company of merchants of the city of Edinburgh, was also presented and read; setting forth,

"That the petitioners, being informed that some arrangements will soon come under the consideration of parliament with regard to the trade to India, they humbly hope that it will in its wisdom discover good grounds for extending the indulgence that was granted to private traders by the Act 1793; indeed they would hope that parliament will judge it expedient to place all his Majesty's subjects in the same situation with regard to the trade to the East Indies as they placed the subjects of all foreign powers who are in amity with Great Britain by the Act of the 57th of his Majesty; and, whatever extension of the trade may appear to parliament to be proper to be granted, the petitioners humbly hope that that extension will not be limited to the port of London, but embrace such other of the ports of the kingdom as to parliament in its wisdom shall seem just, and among others Leith, the port of the metropolis of Scotland; and the petitioners confidently trust that, if such an extension of the trade as has been stated shall be granted, this reasonable indulgence will have the most beneficial effects on the commerce and prosperity of the United Kingdom, without injuring the great and important concerns of the East India Company."

A Petition of the chamber of commerce and manufactures of the city of Edinburgh, was also presented and read; setting forth,

"That it hath been represented to the petitioners in their corporate capacity, 1st, that in the present limited state of the commerce and manufactures of this country, owing to the continental restrictions laid thereon of late, the trading and manufacturing interests of Great Britain and Ireland have suffered greatly; and that many thousands of the workmen employ-

ed in our manufactures are reduced to a state of poverty and idleness without there being any immediate prospect of their being soon restored to their former situation: 2d, that, by the Act of the 33d of his present Majesty, c. 52, the East India Company are vested in the exclusive right of trade and navigation to all those countries comprehended between the Cape of Good Hope and the Straits of Magellan, containing a population of many millions of inhabitants: 3d, that, although all the rest of his Majesty's subjects are thus excluded from trading to any part of those extensive territories, yet, by the act of the 37th of his Majesty, c. 57, the same is allowed to the subjects of all foreign nations in amity with his Majesty: 4th, that the East-India Company are not known to have hitherto traded to any of those extensive countries, their own settlements and China excepted: 5th, that the private trade to the settlements of the East-India Company, under the regulations of 1793, is laid under so many restraints as tend to deter many people, especially those who are at present unacquainted with India, and who reside at home, from engaging in it, while foreigners, who pay no part of the heavy taxes imposed on the subjects of Great Britain and Ireland, are entirely relieved from the restraint of these regulations, by which means they are enabled not only successfully to combat the exertions of the private traders from this country to India under the regulations of 1793, but also to compete with the East-India Company itself both in the East and on the continent of Europe: 6th, that, were the trade to the countries laying between the Cape of Good Hope and the Straights of Magellan laid open to the industry, exertion, and enterprize of the subjects of Great Britain and Ireland at large, it would afford employment to many thousands of workmen employed in the manufactures of these kingdoms, who are at present reduced to a state of idleness and consequent poverty; it would create an additional nursery for seamen, a set of men who have, especially of late years, eminently contributed to sustain the consequence, perhaps even the political existence, of these kingdoms, and would, at the same time, prove the means of adding to the riches, the revenue, and the national prosperity of the British empire; and praying the House to take the premises into their most serious consideration, and to grant such relief therein as to them may

seem necessary in a matter of such great national concern, also to allow the petitioners to be heard, by themselves or their counsel, at the bar of the House, in support of the objects of this Petition."

A Petition of several manufacturers of China and Earthenware in the Staffordshire Potteries, was also presented and read; setting forth,

"That the Petitioners, feeling with deep concern the distresses with which they are affected in common with the other manufacturers in the United Kingdom, deem it to be their duty to make the same known to the House; and that the Petitioners firmly rely on the anxious desire of the House to employ the best means for alleviating the miseries occasioned by the stagnation of trade; and they humbly conceive that the most obvious and effectual remedy is the opening of new markets for our commerce and manufactures; and that the monopoly of the East-India Company has been peculiarly unfavourable to the introduction and consumption of articles of British manufacture in the immense and populous regions over which they have the controul; and the Petitioners confidently hope that if the East be rendered accessible to British capital and British industry, new markets of great extent will be opened to our manufactures and commerce; and praying, that the House will take such measures as shall prevent the renewal of the Charter of the East-India Company; but, if the House shall think fit to continue, in any degree, a commercial monopoly to the East-India Company, the Petitioners, trusting with confidence in their justice, wisdom, and humanity, for a due and impartial consideration of the important interests at stake, earnestly beseech the House, that it may be granted in such terms, and with such provisions, as may secure to the subjects of this realm the utmost freedom of trade that may be consistent with a restricted monopoly, and the enjoyment at least of such privileges as are allowed to neutral nations."

A Petition of several inhabitants of the town of Wolverhampton, in the county of Stafford, who are interested in the manufactures and commerce of the United Kingdom, was also presented and read; setting forth,

"That the Petitioners humbly conceive they have, in common with all others his Majesty's subjects, an undoubted right to

a free trade with every part of the British empire; and that the Petitioners consider the monopoly of the East-India Company to be highly impolitic, and excessively injurious to the interests of the United Kingdom; and the Petitioners humbly represent to the House, that the trade of the town of Wolverhampton has been gradually declining for some time past, and is now so greatly diminished, that numbers of manufacturers are thrown out of employment, and their families reduced to the utmost distress; and praying the House to promote the opening of new channels for the exportation of British manufactures, and especially to resist any attempt that may be made by the East-India Company for a renewal of their commercial monopoly."

And the said Petitions were ordered to lie upon the table.

PAPERS RELATING TO CAPTAIN KING.] The adjourned debate on the motion for Papers respecting the case of captain King was resumed. After a few words from lord Folkestone and the Chancellor of the Exchequer, the motion was agreed to. The Chancellor of the Exchequer and sir Home Popham then severally moved for further papers as necessary to the full elucidation of the case, which were all agreed to.

BARRACK ESTIMATES.] In the Committee of Supply, Mr. Wharton moved, That a sum not exceeding 554,441*l.* be granted for the expences of the Barrack Department for the current year.

Mr. *Fremantle* saw many things in those Estimates, which appeared to him to require a great deal of explanation. New buildings which would bring on a very considerable expence, appeared in one part of the accounts to be ordered by the Commander-in-Chief, and in another part of them, he was at a loss to know whether the whole of this expence was now to be submitted to parliament. The expence of the Estimates for building barracks, appeared to be regularly increasing without any apparent cause. After adverting to the expences of the new buildings at Bexhill, he made several observations on the estimate of the new barrack projected to be built in what was called the Regent's Park. This barrack, which was only intended for the second regiment of Life Guards, was to cost 138,000*l.* Now it did appear to him that it was an enormous

sum to call for in the present times for the lodging of a single regiment of horse. He could not well conceive a more profligate waste of the public money. At Liverpool it was also proposed to build a barrack for 1,000 men, at the estimated expence of 82,000*l.* A new stable at Brighton was to cost 26,000*l.*; and a new barrack at Bristol for 800 men, was estimated at 60,000*l.* These were very large items, and required explanation.

Mr. *Wharton* said, it was true that many new barracks had been proposed to be built in 1811; but as it was not now intended to build them, the estimated expence of course was not stated in the present accounts. The estimates were only of those buildings now in progress, and which were intended to be completed. The expence of buildings was in one schedule, and that of repairs and alterations would be found in another. The regiment of Life Guards had hitherto kept their horses in rented barracks in King-street, but the term was expired, and if they were to be kept in barracks at all, it was necessary that they should be built. At Brighton the stables formerly used by the troops were in a most dilapidated state, and it was necessary, if troops were to be kept there at all, that new stables should be built. The necessity of building the barracks in the neighbourhood of Bristol arose from the circumstance of there being a considerable depot of French prisoners in the neighbourhood, amounting to eight or ten thousand men. If the necessity for the buildings was admitted, he would say that greater economy or more diligent superintendence could not be used with respect to the expence. Those who were accustomed to barrack estimates for many years, would perceive that the present was not higher than was usual, and, in point of fact, the contract was generally much within the original estimate.

Mr. *Fremantle* did not mean to throw the least imputation on the Barrack Board, who were obliged to obey the directions of government. The sums, however, did appear to him to be very exorbitant.

Mr. *Huskisson* said, that notwithstanding the explanation which had been given, he could not feel satisfied. He remembered, that when he was at the Treasury, it had been proposed to build a magnificent barrack at Islington, and the ground was actually marked out for it. Now, although this was strongly recommended by military authorities, the Treasury thought the

expence too great, and that it might be postponed till some other time. If they had adopted all the plans submitted to them by the Military Board, an expence of two or three millions would have been incurred in building new barracks. In the present times, however, it appeared to him, that every expence should be postponed which was not absolutely necessary; and that the same considerations which made the Treasury reject many of those plans formerly, ought now to act with as much force as ever. If the House were to calculate the expence of this new barrack, they would find that it was near 450*l.* for every horse. It appeared to him that this was most extravagantly beyond any thing that really could be necessary. It was said, to be sure, that the men were also to be lodged there, but considering the manner in which men of their class in life were usually lodged, this sum appeared enormous, amounting, according to the interest generally given for money laid out in building, to 40*l.* per annum for the lodging of each trooper and his horse. He was afraid that in this new building there would be some attempt at splendour and awkward magnificence, and that the building would be something between a palace and a stable. At Liverpool he thought that it was unnecessary to go to such great expence, as many warehouses might be now got on easy terms, which would make very good temporary barracks. He thought that every expence that could be spared ought in the present times to be spared, and that even if the government were determined that the expences should amount to an hundred millions a year, there were other ways of spending the money which would be of more use in the prosecution of the present war. He thought there must be reasons fully as strong for postponing those buildings now, as existed at the time when he was in the Treasury, and he did not imagine there was any greater facility of borrowing money now, than there was then.

Mr. *Parrell* thought the House ought to pause before it came to a vote out of all proportion to the objects specified. He wished to call their attention to one item, namely, that of 25,000*l.* paid to the commissioners for auditing general Delancey's accounts, during the five years that they had been employed upon them. If the public was to pay that yearly for the detection of official defaulters, he thought

it would be better to let them go altogether unpunished.

Mr. *Wharton* observed, that barracks for the Life Guards must be erected somewhere, if they were to be in barracks at all, for they could not remain where they now were. The estimates, he admitted, were large; but he apprehended they would not be thought disproportionate to the intended purposes (which were obviously very comprehensive) if they were compared with those of any preceding year in the same department. He repeated, however, that he had every reason to believe that the prices contracted for would fall considerably within the estimates. There was great inconvenience attached to the present system of the barracks in King-street, which contained accommodation for the horses only, while the men were scattered over the whole of this vast metropolis. With regard to the 25,000*l.* for the commissioners who were auditing general Delancey's accounts, he could assure the House that they had saved the public more than double that sum.

The *Chancellor of the Exchequer* said, that there was a real necessity for erecting new barracks for the Life Guards. Government had been actually ejected from the possession of the present ones, and was obliged to make a new agreement with the lessor, paying an annual addition of 950*l.* for the convenience of remaining in them two or three years longer, while others were built. The system of having the men diffused over the metropolis, away from their horses and accommodations, he thought a very reprehensible one. What might have been the consequences, had such a system been in practice during the late disturbances? Might not the men have been intercepted by the mob, from reaching their stables, and the peace of the capital have been most seriously endangered? The hon. gentleman imagined, that it would be a work of bad taste, but he could assure him, that he was not conscious of any unnecessary expence. With respect to the barracks at Bristol, it would be hard to ascertain what sort of building it should be which was to last during the war, if that was a principle of limitation which the House would be inclined to adopt. If a barrack was to be built there, considering the extent and population of the town, considering also the accommodation it would afford to the military passing to and from Ireland, he

thought it should not be built upon any parsimonious scale. The money that was thrown away under this denomination of expenditure, was chiefly applied to the purchase of temporary barracks, which were now in want of repair. As to Liverpool, it was considered to be a great inconvenience that there should be no barrack there; and with regard to the expedient of hiring the warehouses for that purpose, he hardly thought that government would be justified in taking advantage, as it were, of the temporary suspension of trade in that place.

Mr. *Whitbread* said, that the right hon. gentleman appeared to him to have adopted erroneous views upon the subject, when he thought it of such little consequence to separate the soldiers from the people, as to be surprised at any objection to a grant for that purpose. The right hon. gentleman had not argued that general question; the time was gone by; but he would declare it as his sentiment, that he was extremely jealous, and he was sure the country at large was jealous of the separating system. It had been said, that great advantage was likely to be derived from the labours of the Commissioners appointed to audit General *Delancey's* accounts. Perhaps at the end of four or five years, if the country should exist so long under such financiers, that advantage would greatly increase with the practices that rendered it necessary. But whence did the advantage arise? What was the necessity under which this boasted saving was made? The want of care in the controuling power. The negligence and mismanagement of those who, by proper application, ought to have prevented the occurrence of evils instead of leaving us to be obliged to the commissioners for the ascertainment of their extent. It was expected that if the commissioners proceeded, many other defalcations would appear. To him this was not consoling. An hon. gentleman had stated once, that the Chancellor of the Exchequer was the victim of the departments, and the public were given to understand that the hon. gentleman had left the Treasury through disgust at the want of a sufficient controul. But did the right hon. the Chancellor of the Exchequer think, that he wanted military controul over the people of this country? Even at the end of the war, which the right hon. gentleman seemed to think would last long, and which he was sure would last as long as the career

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of the right hon. gentleman, would it be necessary for us to look forward to the prospect of overawing them? Was this a principle to be maintained? Did any one ever hear a minister coolly assert it? But the right hon. gentleman disapproved of the idea of applying any of the warehouses of Liverpool to the purpose of accommodating the military. He who had made the loom useless, and the warehouse idle, who had spread starvation and discontent, had disapproved of that which to him appeared a natural course of proceeding—that of filling the warehouses with soldiers for the purpose of controuling the people under the inflictions he had brought on them and on the country. But it had been said, that there were French prisoners at Bristol. He would answer, so there had for the last twenty years. But even if the right hon. gentleman had been endeavouring to make the expence come up to an hundred millions, did he think, or could he think, that for three years more the country could go on as it was now going? If things proceeded as they were now proceeding, if expences continued to accumulate, and means to diminish, they must look for relief to a peace with the enemy, a peace which his measures had rendered unavoidable. In the transactions of past years he saw many great and glorious opportunities of ending this war neglected and lost, while, at present, the system of the right hon. gentleman was calculated to produce the necessity of peace by submission. But why was it necessary that the horse and the soldier should be more together now than at any other time? Did any reason exist now, that did not exist before, why the soldier and the general population of the country should be kept apart, or why barracks, which he had always regarded in conformity with the opinions of the most constitutional authorities, as fortresses for controuling the kingdom, should be multiplied and enlarged? As to the policy of it, merely with regard to the soldier, he understood that when the men were on service, those who came from regular barracks, were not so healthful as others, so that even military purposes were not likely to be served by it. One of the most lavish expences under this head was incurred by the purchase of old houses at Clifton, in a ruined state, without a window; but now we were going back to Bristol again, to guard the French prisoners. Would to God that they were all out of this country, whether we continue

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at war or not! The hon. gentleman concluded, with repeating his determination to vote against the resolution.

The *Chancellor of the Exchequer* said, that the hon. gentleman must be positive indeed upon the subject, and confirmed in the opinion he had formed, when he thought it right not only to censure the conduct of his Majesty's government, but to vote against the Resolutions before the Committee.

Mr *Whitbread*, in explanation, stated, that his objection went only to the grant for building barracks.

The *Chancellor of the Exchequer* proceeded to observe, that to refuse it without knowing whether the soldiers could be otherwise accommodated, might be productive of much inconvenience. He supposed, however, that by the debating strain which the hon. gentleman had thought proper to adopt, and the topics to which he had resorted, he expected to do much towards tranquillizing the country. When he brought forward his arguments attributing the starvation he described to the conduct of government, did he really think there was any thing in their manner of conducting the war against France, which operated to produce the scarcity at Liverpool? Did he think there was any thing in it to call down the vengeance of Providence on our heads, and provoke him to deny the harvest to our hopes? If not, how could the hon. gentleman shut his eyes to what every man could see but himself, and resort to those imputations, which no man who was acquainted with the subject, could hesitate to reject? He would own that in some inflammatory publications he had met with some topics to which the hon. gentleman had alluded; but he did not expect that any member could be found who would come down to that House for the purpose of making such statements. The hon. gentleman had spoken of golden opportunities for making peace, which ministers had neglected: but he did not say, he could not say whether one of those opportunities presented itself now; and if no such opportunity existed, where was the policy in asserting, that there was no salvation for the country but in peace? It would be impossible for him to say so much against the peace he recommended, as by saying that we were unable to go on with the war. The hon. gentleman had always said that he would not accept of peace but upon honourable terms. If, then, peace could not be ob-

tained upon honourable terms, there was, according to the hon. gentleman's own feelings, and those of the country, but one alternative. Why then should the hon. gentleman give the sanction of his authority to the opinion, that the war could not be conducted, and that we were only to look for consolation to the event of the enemy granting us peace? Nothing could be more improper, nothing more unjust, nothing more dangerous to the security of the country, or more calculated to inflame the minds of the people under the present high price of provisions, than flinging out opinions of this sort to the disadvantage of the great contest in which we were engaged. He would maintain, and he thought the hon. gentleman might have been included amongst the number of those who would insist upon the same doctrine, that if we could not obtain peace upon honourable terms, we must maintain the war at all hazards, and under all circumstances, and to the last extremity. As to what had been said of his intention to keep the people down by a military force, when he had driven them to madness by his policy, he would ask where was the proof? In that candour of mind, in which he hoped the hon. gentleman was not deficient, he might have acknowledged, for he must have known, that it was at least a matter of serious doubt, whether all the difficulties experienced in our trade, would not have been aggravated, if they were not met by the Orders in Council. In two years after the adoption of those Orders, this fact was demonstrated by an increase of our trade. Yet the hon. gentleman went on with his old proof, or rather with his old statement, in defiance of this striking fact, and insisted that our sufferings were not owing to the Decrees of the enemy, but to our own Orders in Council. If this was a logic, he was sure it was not a logic which the hon. gentleman would apply to any other subject; this confusion of cause and effect, this anticipation of consequence over the means that produced it, could, in no other than a political case, have warped the clear mind of the hon. gentleman. But if he was right in supposing that the effects which preceded the Decrees were not to be ascribed to it, how was it fair to represent them as the act of our own government? Was this his wisdom, was this his policy, was this his patriotism? The reasoning of the hon. gentleman would go to turn all the resentment not against the enemy, but

against the government; and that too, at a time when we were engaged in war with an enemy who, if the hon. gentleman was not aware, intended our destruction, he must be ignorant of what was known to every body else. From this country he had met with his most effectual check in the pursuit of his insatiable ambition, and in his progress to universal empire and universal tyranny, his certain disappointment. If the hon. gentleman did not see this, and he trusted in God that he did not, when he called upon the country not to look to Buonaparté and to France, but to its own government, with indignation, and ascribed the inflictions of Providence to them alone; if he did not see this, but could make such statements with a conviction that he was doing right, he was sure that such sentiments would meet with little sympathy and little support.—(Loud and continued cheers.)

Mr. *Whitbread* rose, evidently in great agitation, and began by declaring that if it was not in that House, he would ask the warmest friend or the loudest cheerer of the right hon. gentleman, whether the whole of his speech was not a gross misrepresentation? The right hon. gentleman was mistaken if he supposed that he had obtained a victory over him. No; it was a victory over his own invention. The House of Commons was a fine place—the constitution of England was a great thing—every thing was to be admired, respected, and supported, when an adventurer from the bar was raised by his talent for debate to a great situation, but a great situation which nobody but himself could have accepted under such circumstances.

The *Chancellor of the Exchequer* here signified his dissent from the statement that nobody would have accepted the situation but himself.

Mr. *Whitbread* repeated the statement, maintained the truth of it, and added, “If you doubt me, I refer you for information to a Letter signed Spencer Perceval.” (Loud cries of Order from all parts of the House, followed this expression, and Mr. *Whitbread* attempted for some time in vain to be heard).

Mr. *Yorke* rose to order. The hon. gentleman had just made one of the most outrageous personal attacks on his right hon. friend, which had ever been heard in that House. With respect to the justice or propriety of the attack thus made, he—

Mr. *Ponsonby* rose to order—(Here the disorder became general, and cries of

Chair! Chair! resounded through the House; at length Mr. *Ponsonby* obtained a hearing)—I call the right hon. gentleman himself to order, and on this ground, that he having risen to call my hon. friend to order, did not confine himself to that point, but thought proper to advert to other topics, thereby transgressing the regulations of the House. I speak this before high authority, who will contradict me if I should be incorrect.

Mr. *Lushington*, the chairman, then declared his opinion to be, that Mr. *Whitbread* had been out of order.

Mr. *Whitbread* got up again, and confessed he had risen in some heat, and unconsciously at the time had exceeded the limits of debate. He would however say, that if he was described as having told the people that they were to regard the government rather than Buonaparté as their enemy, it was a gross misrepresentation. Unfortunately it was too much a practice to identify the government with the minister, and convert the fair claims of the former to support and attachment, into a blind approbation of the measures of the latter. Whatever might be the construction put upon his words; he was determined ever to speak out in the House of Commons, to conceal no part of the truth, and to lend no helping hand to the delusion, any more than to the ruin of the people. He knew nothing more likely to prove destructive to the safety and greatness of the people than the prevalence of a different doctrine. He did not confound the visitations of Providence, with the decrees of France, or the measures of the right hon. gentleman. But he knew that thousands of manufacturers were now out of employment, and that tens of thousands were now working at reduced wages, which scarcely sufficed to procure them subsistence. Was he, when he declared this, telling the hungry man that he had no bread? He knew that an unreformed House of Commons had approved of all the proceedings of the right hon. gentleman, and of all his Orders in Council, but he knew too, that the people and the merchants out of the House, were, in every part of the kingdom, of very different opinions. Was not this table already covered with petitions, that daily multiplied; and had he indeed abandoned all his patriotism, when he stated this? As to what he had said with respect to peace, how was it possible for him to speak positively as to the fitness of the present moment,

but how could any time be found appropriate, unless the experiment were made? Would the right hon. gentleman, looking back to that history in which he was so well read, pronounce it to be his opinion, that we were hereafter likely to obtain such desirable conditions of peace as might have been obtained at any former periods! The right hon. gentleman boasted of our being the great and only barrier to Buonaparté's desire of universal dominion. On this point there could be no dispute? why were we so? Because it was the policy of the authors of this and the preceding war which had made us so; which had first made Buonaparté consul for life, and afterwards in alliance with his own talents, had made him emperor, and had enabled him to trample upon every hostile state. The same errors and fallacies were still circulating and still believed; one day Prussia was said to be arming against France, on another she was described as uniting her force to that of France, to assist in crushing the only independent state remaining on the continent. It was his duty, then, to ask the people to be misled no longer by the fatal policy of ministers; and he would ask the right hon. gentleman himself, not to become the victim of his own infatuation, by bringing the country to the end of its resources. He believed the period must soon arrive when this would be the case. He should be sorry if any thing had fallen from him that might bear an interpretation foreign to his intentions, but he had deemed it an impressive duty to enter into this avowal of his sentiments.

The *Chancellor of the Exchequer* declared, that every offensive impression which the hon. gentleman had made, more on the feelings of his hon. friends than on his own, was completely removed. He had certainly not attributed to the hon. gentleman that which he imagined him to have done. As to the question immediately before the House, he held it to be desirable that in populous towns the soldiery ought rather to be kept apart, than to be quartered on the people. The hon. gentleman had again alluded to the Orders in Council; but could they be said to prevent the importation of corn, when it was generally known that, notwithstanding their operation, eight millions had been paid last year for foreign corn imported? The fact was, that the scarcity was felt as severely in France at present as in England.

Mr. *Stephen* confessed that he did not hear the first speech of the hon. gent. but he had the misfortune to hear the two last. He should certainly think himself greatly wanting in his duty to the public, if he did not endeavour to counteract, by every effort in his power, the mischievous misrepresentations of the measures of government which were circulated insidiously through the country. Those misrepresentations were calculated to divert the resources of the country from that patriotic channel in which they ought to flow, into a channel of disaffection; they were calculated to make men turn away their confidence from the conductors of our public affairs, and to make them believe, that until certain measures were adopted—until a change, which he knew to be impossible, should take place—the country could never regain its former prosperity. It was the proper and peculiar duty of a member of parliament not to suffer the public to be deluded by artful misrepresentations,—not to suffer their ignorance or their prejudices to be worked upon by those persons in the country, who seemed to spend their time and talents in poisoning the minds of the people. He could conceive nothing more mischievous in a political, nor more infamous in a moral sense, than the propagation of falshood which was now disseminated; of falshood he should say, because there were many members on the benches opposite, and even the hon. gentleman himself (Mr. Whitbread) who had admitted at various times that the effect of the Orders in Council was not such as was now attributed to them. He held in his hand a paper which was just one of that description which now crowded the country newspapers, and in hand bills crept through the country; this paper was signed “A Staffordshire Potter,” and it set out with a most notorious falshood, that before the Orders in Council, and under the first operation of Buonaparté's decrees, our trade was not diminished. (Hear, hear, from Mr. Baring.) What? did he hear a cheer from any gentleman opposite? or was the cheer from him who had often taken part in debates on this subject, and who must, therefore, be well acquainted with the truth of the fact which he was alluding to? Did the hon. gentleman mean that the representation of the paper was right? If so, he should certainly move a resolution on the fact, and have it officially before the House (Move, move!

from the Opposition benches.) He disdained those sneering cries, because he knew that there was no person who would venture to call upon him seriously for proof of a fact which was in evidence before the House. It was already known, that during the first three months after the issuing of Buonaparté's decrees, until the Orders in Council were adopted, our trade had not only diminished, but was entirely at a stand; that there were no exports, and that many of the cargoes which had cleared the river for the continent were obliged to be relanded. The insurance was even so high as 60 per cent. ; so that scarcely any underwriter was to be found who would subscribe one. This was a stubborn fact; and yet in defiance of such a truth, there were men who could be base enough to mislead poor ignorant manufacturers, and make them attribute to the Orders in Council, and the government who advised them, the very contrary of their operation. Such a bold and rank imposture he would not impute to any member of that House, because he was aware that the intentions of them all were pure; but he would say, that such an imposture must proceed from a French party, animated by French spirit, imbued with French principles, entertaining French views, discontented with their own government, and willing to rush upon measures that must be fatal to all that Englishmen hold dear, to the freedom that Englishmen cherish, and the independence, without which they would not care to exist. Such a deed as this imposture, in such a country, and under such a government, was unparalleled in the baseness and profligacy of mankind. In justice to the poor deluded manufacturers, he wished to see these detestable arts abandoned; and this effort of his indignation was directed to no other purpose. He begged the lurking authors of those misrepresentations to look to the consequences; to see that they were only paving the way for the ravages of military force, and exposing the nation to a deluging waste of blood.—The hon. and learned gentleman then proceeded to shew, that in the six months subsequent to the issuing of the Orders in Council, the country had reached a pitch of prosperity unknown at any former period of our history,—that our exports were unexampled, amounting to no less than to an excess of 10 millions. After this statement, he would put it to the candour of the hon. gentleman, whether he was fair in the introduc-

tion into his speeches of those little episodes on the Orders in Council; whether his custom of flinging a remark or two on this subject into the context of his casual speeches, was altogether very gracious, when he always declined making any specific motion,—any motion that could be distinctly met by the evidence of facts which were too strong to be broken down. The hon. gentleman was always carping at the Orders in Council, save the first two years when he thought it convenient to be silent on their effects; and now again he came forward with his views, and prospects, and prophecies; and it appeared that in his opinion there was no alternative for England but inability to carry on the war or submission. Really, although he was not himself totally devoid of apprehension, he confessed that he derived some consolation from the hon. gentleman's evil predictions. In fact the hon. gentleman's prophecy was to him the very best security he could wish for. The reputation of a prophet seemed to be the fame now most in vogue; and if the ambition of the hon. gentleman was very soaring, he would recommend him to become Editor of Moore's Almanack, in which work he could have a wide field for the display of his abilities. The prediction of sun-shine in the dog-days, or a fall of snow in December, might fortuitously and felicitously turn out to be realised, and the character of the hon. gentleman might be retrieved. The hon. and learned gentleman then argued, that the present scarcity was not to be attributed to the Orders in Council, contrary to what he understood had been stated by the hon. gentleman. (Here Mr. Whitbread signified his dissent.) He was glad to see that the hon. gentleman disavowed, by his gesture, that he had imputed the scarcity to the government,—that was at least one advantage gained by this irregular discussion. As to the asperity of the beginning of the debate, after the display of good humour by the hon. gentleman, he should not repeat the offensive expressions which were applied to his right hon. friend. At the same time he could not help saying, that when his right hon. friend was represented by the hon. gentleman as rising to his station by talent, and ingenuity, and dexterity, and afterwards said to have obtained his place because no one else would take it, there was some little appearance of discrepancy in the hon. gentleman's assertions. At one time it was his dex-

terity, and the next moment it was the refusal of others to take his situation, that kept him in it. His right hon. friend's dexterity must certainly be very formidable, when there was no person on the other side who would venture to change places with him. But if it was not even choice but necessity to which his right hon. friend owed his situation, he must say, that it was a most fortunate necessity for the country. If the withholding of their services on the part of others was the means of preserving his right hon. friend to his country, then that refusal was a most important event in the history of England, and would be equally an important event to his character. It would shew that his fame, which was progressively increasing, and would increase to ages, arose, not from any ardent and sanguine love of power—that its spring was not in ambition, but that it was driven to display itself by the disinclination of others to strengthen the administration, to share in the toils and perils of his situation. It was pleasing to him to say, that he knew no minister who had better graced his pre-eminence; and under his auspices, he was confident that this country would not be reduced to the disgraceful alternative mentioned by the hon. gentleman opposite.—The hon. and learned gentleman concluded by saying, that if any blame was to be attached, in the present circumstances of the country, to the Orders in Council, the late ministers were to be charged with the responsibility of issuing the first of them, and of establishing their principle; and by alluding to the report of the French minister for foreign affairs, who, in his report to the Conservative Senate, of the 10th of March, laid it down as a maxim what would ultimately destroy the naval superiority and maritime rights of Great Britain, namely, that “free ships made free goods.” Buonaparté was now sending forth his thunders to the Baltic, and Great Britain should be roused thereby to more determined resistance.

When Mr. Stephen sat down, Mr. Lushington begged to remind the Committee, that the business before them at present was merely the Estimates for the Barrack Department.

Mr. Ponsonby said, that if the chairman had not called the attention of the Committee to the immediate business before them, he certainly should have done so; he would not however take up much of its time. The hon. and learned gentleman

who spoke last, had indulged himself in a most lavish panegyric on his right hon. friend. Why not? Was it not most natural that he should do so? For if the right hon. gentleman had by any calamity not been minister, the hon. and learned encomist never would have had the place he now held. The hon. and learned gentleman had advised his hon. friend to become editor of Moore's Almanack; but he would ask the hon. and learned gentleman whether his hon. friend's foresight was defective in every other respect except changes of the weather. His hon. friend had foretold that this country, under the management of the right hon. gentleman, would be neither prosperous nor happy; and now for a few plain matter of fact questions. Two years ago the right hon. gentleman effected his loan at 70 in the 3 per cents.; last year at 64; and he should like to know was that any mark of extraordinary prosperity? Did he expect this year to get it higher than 59; and would this also be a step in the national prosperity? Were these calculations entirely within the range of Moore's Almanack? His hon. friend was not so absurd as to attribute the present scarcity to the Orders in Council as its immediate cause; but he said, that the operation of the Orders in Council made relief more difficult. Again, was not America affected by our Orders in Council? There was enough, he was afraid, of real evil on this point, and very little need of the aid of prophecy. He had promised not to stray much from the question; and what was the true question? Was it not whether we should vote the present immense sum, or go on in a limited scale of expence? Was it necessary for the carrying on of the war to an honourable issue, that 138,000*l.* should be spent on accommodations for 350 men and horses? Was that necessary? Was that prudent? The right hon. gentleman on the floor (Mr. Huskisson) had stated our annual expenditure at 30 millions in one way alone; and with such an expence, was it right to be so profuse as to throw away 138,000*l.* on a stable? Would the building of the stable help us to a more honourable conclusion of the war? His hon. friend was blamed for hinting at peace. If no person but those in the secrets of the cabinet was ever to ask for peace, he was afraid that we should be troubled with very little mention of it. As to the proper time for urging the necessity of peace, no member of parliament

could have any other ground to go on but general pacific principles; and it was on such that his hon. friend always acted. The hon. and learned gentleman who spoke the panegyric, seemed to be very indignant against inflammatory productions. All the hon. gentlemen on the other side, it seemed, were quite in a passion that such horrible productions could have been resorted to. They scorned to descend to such arts. Oh dear, yes, they rose above such meanness: they never deigned to play upon the vulgar passions or prejudices of the people! They never, innocent souls! imagined such a thing as the Church in Danger! They never dealt in hand-bills. They knew nothing, for instance, of the No Popery placards in Manchester; and, unquestionably, the immediate actors there had no connection or dependence upon government! The right hon. gentleman, too, had been very compassionate to-night. He would not deny food even to his bitterest enemy. What a happy philanthropy! How greatly must the good wishes of that side of the House, for the benefit of the human race, be lately increased! and yet how intrusive would recollection sometimes be, for he declared he could not help remembering, that it was those very moral and religious ministers who were the promoters of the Bill for prohibiting the exportation of Peruvian bark to France.—(Loud cries of hear, hear!)

Mr. *Huskisson* agreed with the ideas of the right hon. gentleman who had just sat down, on the question immediately before the House. If the House was prepared, without document of any kind, to say that 133,500*l.* should be granted for barracks for 380 men and horses, and that accommodation for them could not be more economically procured, then, and not otherwise, they would vote for it. He proposed that this part of the estimates should be postponed till the House should be satisfied on this head.

Mr. *Wharton* thought any delay unnecessary. No farther information could be furnished on the subject; and the military department had declared the barracks indispensably necessary.

Mr. *Rose* was ready to maintain, that the Orders in Council were not the cause of producing a greater state of distress in the country. They did not prevent a supply; on the contrary, they gave facility to the supply, in aid of the people. Grain principally came from the Baltic,

and with the ports there the Orders in Council had nothing to do. He was afraid, if gentlemen were sanguine in the expectation of getting supplies from any part of Europe, they would be disappointed.

Mr. *Whitbread* said, that the petitioners who had come to government, and also to parliament, complained that they were in a state of starvation arising from the want of employment, in consequence of which they were without money to buy food—a situation to which they were reduced in consequence of the Orders in Council. He had observed it stated, that the right hon. gentleman (Mr. *Rose*) had, to some of those petitioners who waited upon him from Birmingham, compared France and England to two men up to their neck in water, who must try which of them could stand the longest without being drowned. He could not suppose that the right hon. gentleman had so expressed himself. He was satisfied the right hon. gentleman could not have used such a metaphor, conceiving as he did, the good ship of England to be so high above water.

Mr. *Rose* said he had been very hardly dealt with in the business alluded to. He confessed that some such comparison had fallen from him [Laughter]—but denied that he had treated the distresses of the Birmingham petitioners with any thing like levity.

Mr. *Whitbread* did not suppose that the right hon. gentleman could have thought of treating with levity persons in so perilous a situation as he himself had described.

Mr. *Baring* agreed that the Orders in Council had no immediate effect in producing the scarcity of food, though it was equally true, that by reason of those Orders in Council, the manufacturers were deprived of the means of purchasing food, were it before them in abundance. Every thing, in his opinion, depended on economy in our expenditure, and, therefore, he was against the present grant.

Mr. *Fuller* would not consent to repeal the Orders in Council, though it were even true that he could get nine shillings a pound for his sugars in France. If the two countries must be like two fellows pumping, each striving to save himself the longest above water, let it be so; but Old England should never yield to France.

Mr. *Huskisson* said, he should move that instead of 534,000*l.* the grant be reduced to 400,000*l.*

Mr. *Wynn* objected to a grant which

amounted to no less a sum than 380*l.* per man and horse. In other barracks the estimate was 82*l.* per man. Was it to be understood that 300*l.* was for each horse's stall?

Mr. *Wharton* said, the estimate only corresponded with other estimates.

Mr. *Calcraft* observed, that barracks had been built in his neighbourhood for 100 cavalry, at an expence of about 6,000*l.*

Mr. *Wharton* said, that ground for exercising was to be inclosed to the amount of about 27 acres.

Mr. *Fremantle* objected to granting a larger sum than it was calculated the intended barracks would cost.

The *Chancellor of the Exchequer* said, that the sum proposed was not for procuring accommodation for the horses and men alone, but for the Staff also, for an inclosed exercising ground, and for temporary accommodation within the walls for a larger body of horse, when occasion should require.

Mr. *Whitbread* appealed to the Committee if there was a single man in the House who had had the smallest idea of the nature of this grant till now. Either the right hon. gentleman who spoke last knew more on this subject than the Secretary of the Treasury did, or the latter had not done his duty. He asked, would the hon. Secretary not now agree to postpone this grant? Or would not the Committee feel a jealousy how they acceded to the granting of money on such an estimate?

Mr. *Ponsonby* said the question was not, whether this sum should be voted at all or not; but whether or not time should be given to the Committee to understand what they were doing. All he should say, if it was true that France and England were now to be compared to two men up to the neck in water, and if in such circumstances, barracks for 350 soldiers were to cost England 133,000*l.* it was not difficult to see which of the two must be choaked first.

Lord *Folkestone* strongly objected to a larger grant than was proved to be necessary, particularly for the erection of barracks, which that House and the country had been accustomed to regard with a jealous eye. The speech of the right hon. the Chancellor of the Exchequer too, furnished additional ground for postponing the grant till the House was better informed.

The House then divided, when the numbers were, against the Amendment 38—For it 40—Majority 48.

List of the Minority.

Baring, A.	Hurst, R.
Baring, sir T.	Kemp, T.
Brougham, H.	Marryatt, J.
Bankes, H.	Montgomery, col.
Bennet, hon. H.	Ossulston, lord
Biddulph, R. M.	Parnell, H.
Babington, T.	Ponsonby, rt. hon. G.
Craig, J.	Popham, sir H.
Calcraft, J.	Smith, J.
Creevey, T.	Smith, S.
Dickinson, W.	Smith, A.
Eden, hon. G.	Sinclair, G.
Folkestone, visc.	Thornton, H.
French, major	Taylor, W.
Fremantle, W.	Thompson, T.
Grenfell, P.	Williams, sir R.
Horner, F.	Westerne, C. C.
Hamilton, lord A.	Warrender, sir G.
Hutchinson, hon. H.	Wynn, C.
Huskisson, W.	Whitbread, S.

HOUSE OF LORDS.

Tuesday, April 14.

EAST INDIA COMPANY'S CHARTER.]

The Duke of *Norfolk* presented a Petition from the merchants and manufacturers of Sheffield, pointing out the great advantages which would result to them and to the country in general, from a renewal of the East India Company's Charter.—The Petition having been read,

Earl *Fitzwilliam* observed, that, in addition to the Petitions then lying on their lordships' table, against the continuance of the East India Company's monopoly, others were preparing in every city and town, throughout the kingdom; it was therefore right that the people should be apprised of what step government intended to take.

The Duke of *Norfolk* said, it certainly was desirable, that information, both as to the time when any measure on this subject would be brought forward, and to the object which ministers had in view, should be imparted to the House and the public. He did not mean to follow up this observation by introducing any thing like a discussion. But, he should be glad to learn, whether government intended to leave the East India Company in complete possession of the trade, to diminish it partially, or to throw it open entirely? This information was not only necessary to the manufacturer, but to the public in general.

The Earl of *Buckinghamshire* said, that, in the present state of the negotiation between the government and the East India Company, it was out of his power to give any distinct answer.

Earl Grey said, it had been truly observed by his noble friend, that Petitions were preparing against the East India Company's monopoly, in almost every town in the kingdom; and, with such an interest at stake, and so much attention and anxiety manifested on the part of the public, surely they had a right to expect, that the business would have been so arranged by government, that it would be brought forward at a time when all the consideration due to its great importance could be paid to it. But now he understood from the noble earl, that the discussions between ministers and the Company were not yet closed, and therefore they were not ready to give any specific answer. What, then, would be their situation, if the discussion were delayed till a very late period of the session? Could they then give the subject that deep consideration which it deserved? He did not wish to press ministers to introduce any premature or hasty measure on the subject; but if they were not now prepared to submit a proposition to the legislature, or, at a very early period indeed, from this time, he hoped, as the Charter would not expire for two years, and as the interests concerned were various and complicated, that it would not be brought forward during the present session.

[BANK OF ENGLAND.] Earl Grey rose to bring forward the motion respecting which he had recently given notice. It would go, he observed, first, for an account of the total value of the notes refused in payment at the Bank since the year 1797, on the ground of their being forged, distinguishing the value of those in each respective year since that period. To this, he believed, no objection would be made. But the information he most wished for, and without which the anterior would be nugatory, was an account of the number of the notes so presented; this he thought more especially necessary, with a view to the discussion of the measure which would ere long come before that House. Such a statement alone, he said, would enable them to form a judgment how far individuals were likely to suffer in that way under the system, which that measure went to extend, and to continue. The noble earl then moved for an account of the value of the notes as above, from the year 1797 to the latest period the same could be made up, distinguishing the nominal value of the notes so presented in

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each year, &c. which was forthwith agreed to by the House. His lordship then moved for the production of an account of the number of notes so presented and returned.

The Earl of *Liverpool* observed, that to the first part of the noble earl's proposition he thought, under the present circumstances, and with reference to the Bill in its progress in that House, no rational objection could be made. It, besides, would furnish all the necessary or useful information desired, inasmuch as the specification of the value in each year would shew the progress as well as the extent of the evil. With regard to that under consideration, he certainly entertained no objections; it would also, on the noble earl's own ground, afford but little further information, except a distinction was made between the notes below and above the sum of 5*l*. One strong objection was, that it would afford information as to what description of notes forgeries might be the more easily made; every useful purpose would be answered by a specification of the actual number and total value of the notes refused in each year, and what was now proposed appeared to him at best to be unnecessary and superfluous.

Earl Grey thought, by what fell from the noble Secretary of State, he must have misapprehended the object of his motion; it went to shew what he allowed to be proper, the extent of the evil, and which could not be satisfactorily shewn without an account of the number of instances in which the evil had taken place; it was not so much the amount as in the nature of the sum, and the multiplicity of instances in which the offence had been committed. It was said not to exceed 9,000*l*. as to nominal value, one year with another, but without a specification of the numbers, they could not tell whether forgeries were committed in nine instances of 1,000*l*. each, or in nine thousand instances of 1*l*. each. He had no objection to amend his motion as suggested, by calling for a distinction of the notes under and above 5*l*.; and as to the objection of the noble earl, that to publish the description of notes would be injurious, he thought it could not really be believed, that the practitioners in forgery wanted any information through the medium of that House. One great object should be the diminution of opportunities for the commission of the offence alluded to, as far as possible, for it made one's blood run

(Y)

cold to read the facts in the papers of the numbers brought to trial on such charges, and sent away with verdicts of Guilty—Death.

The Earl of *Liverpool* contended, that every useful purpose would be answered from the accounts already ordered. He was far from wishing to withhold any information really useful or necessary: the real question to be considered was, whether the evil complained of was progressively increasing or not, and that would fully appear by the accounts just ordered.

The Earl of *Lauderdale* contended, that the specification called for by his noble friend, was necessary to elucidate that part of a very important subject. The noble Secretary seemed to have forgot, that before 1797, notes of 1*l.* and 2*l.* were unknown in the country. The forgeries were said to be chiefly for those low sums, and it was proper they should know how far the evil arose from that system which the expected Bill went to enforce and to continue.

Earl *Stanhope* hoped their lordships would permit him to say a few words respecting the opinions just declared upon a very important subject. He believed it to be fact, that the greater proportion of the value of the forgeries had been in the small notes. He did not approve of the motion as then worded; it was liable to an objection urged by the noble Secretary, as to its tending to mislead. He saw no reason, however, why his noble friend should not call for a specification of all the classes of notes in which forgeries were committed. It was a topic to which he believed he had given ten times the attention given to it by all the members of parliament put together. He had suggested a mode which would go to prevent forgeries at home; but what was greatly to be feared was the effects of foreign forgery, when these notes should be put on a different footing; the forgeries would be extensive and systematical. Their lordships recollected the forgeries of the assignats. With regard to the Bill in its progress to that House, the great object with respect to it, and the subject of which it formed a part, was that the holder of the note should receive the value it was worth. Every thing that could, should be done to prevent forgery and its consequences; and also to render the person who held a note, certain that he would receive that which was its value. In that

view, the fullest information should be afforded. One great means which led to the facility of forgery was the wretched style of executing notes; and it had been said to him, jocosely no doubt, that they ought not to hang those who forged, but the Bank directors for making the notes so liable to be forged.

Earl *Grey* amended his motion, in the way suggested by his noble friend; and the question being put thereon, their lordships divided.

For the motion - - - - 12

Against it - - - - 27

Majority - - - - —15

The Earl of *Lauderdale* moved, that there be laid before the House a statement of the period at which the directors of the Bank of England gave up indemnifying the holders of forged notes.—On this proposition some conversation took place.

Lord *Holland* expressed his surprise that ministers seemed unwilling to acquiesce in propositions of the kind, until they had consulted the Bank directors. The motion he thought necessary, and adverted to the period, as long subsequent to the restriction on the Bank. He noticed the circumstance of a forged note he had brought some years after that period, and which he had communicated to the Bank as connected with a system of forgery, said to be then going on. He was offered indemnification. But he could not avoid observing, that it was to the disgrace of the country that the example was set, not by individuals, but by the government itself, and it was to the shame of the country that the practice should be approved in the tribunals, on the ground of its being against the enemy of the country.

The Earl of *Liverpool* said, that with respect to any specific proceeding of the government of the country at the time adverted to by the noble baron, he certainly could not speak from any personal knowledge; but they all knew, that when the circumstance had been expressly referred to in that House—it was strongly denied and disclaimed by a noble baron (lord Grenville) then holding a high situation in the government, who denied that such a fact had ever taken place. With respect to the idea held by the noble baron, of his proneness to consult those whose interests were so immediately concerned, he had to state, he felt it incumbent on him, not only in the case of the bank of England, but of any other public body whose in-

terests were deeply implicated, to endeavour to learn whether important objections were entertained, and where these were communicated, he always exercised his own judgment how far such constituted a fit ground for objection or argument in parliamentary discussion.

The motion was then withdrawn.

HOUSE OF COMMONS.

Tuesday, April 14.

PETITIONS FROM PERTH, SHROPSHIRE, MANCHESTER, AND BLACKBURN RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several merchants, manufacturers, and other inhabitants of the city of Perth, was presented and read; setting forth,

"That the Petitioners, in common with the rest of their fellow subjects, conceive that they have a right to a free trade with all parts of the British empire, under such regulations as justice and sound policy may require; and that they forbear entering into the discussion of the territorial rights of the East India Company, or the internal government of its possessions, but they humbly confide in the wisdom of the House that, on the expiry of the present Charter, the important interests of the Company will be settled on liberal and fair principles, compatible with the sanction of a free trade to India, under equitable regulations, for the general benefit of the subjects of the United Kingdom; and that the Petitioners humbly apprehend, that the natural effect of throwing open the trade to all the countries beyond the Cape of Good Hope will enable the manufacturers to exert their skill and industry with increased energy and advantage, and not only tend to relieve them under their present hardships, but also the numerous class of suffering operatives, who are, by the calamities of the times, and the tyrannical restrictions of the enemy, deprived of their ordinary means of support; and praying the House to adopt such measures on the expiry of the present Charter as may establish and confirm the sanction of a free trade to the British merchant, under suitable regulations, to the eastern parts of the world, neither cramped by unnecessary restrictions, nor fettered by exclusive monopolies, as at present, nor injured by preferences granted to neutral nations."

A Petition of the iron masters, proprietors of the principal iron works in Shrop-

shire, was also presented and read; setting forth,

"That the Petitioners beg leave to represent to the House, that though they are fully sensible that it is a duty incumbent upon every subject of these realms to submit, and the Petitioners are willing cheerfully to submit, to every commercial regulation and restriction by which the welfare of the state is essentially promoted, yet they apprehend, and beg leave to state, that the principle of restraining the subjects of these realms from trading with foreign nations and our distant possessions, by granting an exclusive exercise of that right to a chartered company, is so far from being essential to the welfare of the state, that it in itself is an obstacle to the increase of our commercial intercourse with those foreign nations and distant possessions; and that the principle of conducting trade with foreign nations and distant possessions, by means of a chartered company, tends to increase the price paid by them for the transport of our manufactures, and to enhance that which the Petitioners pay for their produce, and thereby, instead of being a benefit to this country, is an injury, and consequently an injustice, to both; and therefore praying, that, if possible, the exclusive Charter of the East India Company may be abolished, or that, if, from circumstances not within the knowledge of the Petitioners, it should appear to the House necessary to concede to the East India Company the exclusive privilege of trading to some particular nation situated beyond the Cape of Good Hope, such concession may be as limited as the nature of the case will admit; and the Petitioners earnestly intreat of the House so in its wisdom to protect the rights of his majesty's subjects, as that they may not be restricted from a free intercourse with our Indian possessions, nor, without absolute necessity, from trading with any of those nations which are situated beyond the Cape of Good Hope."

A Petition of several merchants, manufacturers, and other inhabitants, of the town of Manchester, was also presented and read; setting forth,

"That, from the circumscribed state of their trade with the European continent, the Petitioners are more particularly anxious that a free intercourse may be secured to them with all the countries beyond the Cape of Good Hope on the approaching termination of the East India

Company's Charter; and the Petitioners beg leave most respectfully to assure the House of their firm conviction that the unrestrained exercise of that right is essentially necessary to the maintenance of the manufacturers, and to the prosperity of the commerce of the United Kingdom; and the Petitioners humbly submit, that their right to a free participation in the commerce with all the prohibited countries, on the expiration of the East India Company's present Charter, is unquestionable; and that the success of the subjects of foreign powers, in a traffic which has been denied to the Petitioners, has made them more deeply sensible of the privation, and completely proved that the trade is within the reach of individual exertion; and praying the House to adopt such measures as may, upon the expiration of the existing Charter, secure to all his majesty's subjects a free trade from any of the ports of the United Kingdom with all the countries situated to the East of the Cape of Good Hope."

A Petition of the cotton manufacturers, bleachers, and printers of the town and vicinity of Blackburn, was also presented and read; setting forth,

"That the Petitioners presume to petition the House not to renew the East India Company's Charter, and, in doing so, they deem it their humble duty to state the causes, as briefly as the importance of the case will admit, of their objection to the exclusive privileges granted to that body; that, to deprive an individual of the free employment of his industry and capital, must tend to discourage enterprise, to repress exertion, and greatly to obstruct the progress of national prosperity: in the early stages of commerce, there might be reasons to justify exclusive monopolies to joint stock companies, the wealth of the community being low, the combination of a number of small capitals may be necessary to form a fund for an undertaking of any considerable magnitude: if the proposed object of adventurers be attended with apparent hazard, it may be wise in government to encourage such adventurers, by allowing them exclusive privileges; and on these, or similar considerations, the Petitioners presume the various privileged companies in England were first formed; of these the East India Company alone has been enabled to prolong its existence: the Petitioners will now endeavour to show, that the reasons

for supporting monopoly no longer exist: the capital, commercial spirit, and commercial knowledge of the British merchant are unbounded; free ports of trade to carry off the immense manufactures of the United Kingdom are very limited indeed, and, that they are by no means adequate, is most plainly shewn in the distress which pervades every manufacturing district; and that, when the East India Company's monopoly was granted, almost every port in Europe was open to the independent trader, now almost every one is shut against him; and the Petitioners submit, that it is impossible for any joint stock company to convey our manufactures into many of the ports betwixt the Cape of Good Hope and the Straits of Magellan, that would be resorted to by independent adventurers if they were permitted to make their election; and that the delays and abuses known to exist in managing the concerns of the Company, being prevented by individual attention and economy, will be the means of increasing the ability of this kingdom to undersell all others in foreign markets; but, if the Company can carry on its trade to greater advantage than the private merchant, it will reap its merited benefit by the competition, and, without competition, the Petitioners respectfully contend, that the commerce of Britain neither would have risen to its present standard, nor will it increase to bear the increasing expences of the nation; and that it is a well ascertained fact, that, during the time of the Protectorate, there were men who boldly violated the East India Company's Charter, and carried on the trade with such success, that they were able to sell the commodities of the East in the different markets of Europe on lower terms than had ever been known; and at this day, individual British merchants have traded to India with profit, even under all the difficulties, delays, and taxes imposed upon them by the Company; but the American merchants, unfettered, have embraced the favourable opportunity held out to them by the act 37 Geo. 3, c. 57, and have now deprived the Company of the advantage of supplying principally not only the continental European markets, but also those of South America, the West Indies, those in the Mediterranean, and even Malta: and that this trade, supported no doubt in part by British capital, which the law does not permit its owners to employ directly themselves, has im-

creased with unexampled rapidity, enriching the individuals engaged in it, and yearly adding to the resources of their country, whilst the English trade has become less extensive and profitable; and that, confident the House will form its decision upon this great question from a consideration of the present and not the former situation of the British dominions, the Petitioners humbly hope, that their Petition, according with the sentiments of so many respectable and deeply-interested merchants and manufacturers, will be graciously received, and that their fervent wishes may not be disappointed."

Ordered to lie upon the table.

PETITIONS FROM STAFFORDSHIRE AND YORKSHIRE RESPECTING THE ORDERS IN COUNCIL.] Lord Leveson Gower presented a Petition from several manufacturers of china and earthenware in the Staffordshire potteries; setting forth,

"That the Staffordshire potteries, containing originally but few inhabitants, and possessing little except the rude productions of nature, have, by the skill and industry of the potters, become the seat of manufactories of national importance, giving support to a considerable population, and supplying tonnage to a great amount for the coasting trade and for inland navigation in the conveyance of raw materials, the products of Cornwall, Devon, Dorset, Kent, Derbyshire, and Wales, and in the transport of a bulky manufactured article; and that in time of peace, the productions of these manufactories found their way to all parts of the known world, but since the commencement of the present unexampled system of commercial warfare, they have experienced, in common with the others in the United Kingdom, the privations unavoidably produced by a total exclusion from the continent of Europe; and that restricted as the Petitioners were, by the severe prohibiting decrees of the enemy, from any participation in the continental trade of Europe, it became of the highest importance to preserve our extensive and valuable commerce with the United States of America, by every means consistent with our national honour and interest; and they humbly conceive that the Orders in Council issued in 1807, and continued in certain of their provisions in an Order of 1809, were intended to force a commercial communication with the continent of Europe from the pressure of its necessities, but instead of producing

that effect, they are manifestly the cause of still further curtailing our trade, by depriving us of the market of the United States of America, the only one of importance which was left open to us; and that notwithstanding the Berlin Decree our trade with the United States was as flourishing as at any former period until the Orders in Council were issued, followed by the American embargo and Non-Importation laws; and, when the Petitioners consider the naval superiority of this country, they cannot suppose it would have been interrupted by that Decree, or by any other within the power of the enemy; and that it is with the most painful anxiety the Petitioners find themselves compelled to represent the present depressed and alarming state of their trade, the number of bankruptcies is unprecedented, more than one fifth of our manufactories are unoccupied and falling to decay, and the remainder, many of which are at work on the prospect of the opening of the American market, are employed on the average to little more than half their usual extent, great numbers of workmen are without employment, and they and their families are dependent upon our daily increasing poor rates for subsistence; and praying the House to take such measures as to them shall seem meet, to relieve the distresses of the country, and to prevent the still greater calamities which the Petitioners are persuaded would result from the continuance of the Order in Council of the 26th of April 1809."

Lord Milton presented a Petition from several merchants and manufacturers interested in the woollen trade, and resident in the West Riding of Yorkshire; setting forth,

"That the Petitioners form a considerable portion of that description of his Majesty's subjects whose persevering industry has contributed to raise to a pre-eminent degree of wealth and greatness this their native country; and that the Petitioners are sensible of the existing national difficulties, and of the various and unjust means devised by the inveterate and subtle enemy of their country to injure and destroy their national independence, and have, therefore, borne without complaint a large portion, and are yet willing cheerfully to undergo their share, of the privations necessary to effect the national safety, but they cannot any longer refrain

from representing to the House the distress which they feel as a body, in a much severer degree than most of their fellow subjects, occasioned, as it appears to the Petitioners, by a perseverance in that system of commercial regulations known under the name of the British Orders in Council, adopted and pursued ever since the year 1807, and at the same time expressing to the House a doubt, which the Petitioners very sensibly feel, how those measures can tend to promote the national security, which, after so long a trial, produce nothing but ruin to the national commerce; and that their houses and warehouses are stored with goods prepared for foreign markets to which they have no access; when the ports of Europe were shut to our manufactures, they consoled themselves with the fruits of their trade to America, and since the interruptions that have happened to the extensive commerce previously carried on between that country and this, they have endeavoured to find markets for their goods elsewhere; but collectively their endeavours and their enterprizes prove vain and fruitless, large stocks of manufactured goods remain on hand, their capitals are locked up in commodities, for the sale of which the proper markets are shut against them, and their industry is paralyzed; and that the number of bankruptcies and insolvencies that have recently taken place in old commercial houses of well-established credit and extensive dealings, as well as those of lesser note, are the effect, and the evidence also, of the ruinous consequences of the British Orders in Council, for, until they were acted upon, the commercial Decrees of the French government were harmless to the Petitioners; if other evidence be needful, they appeal to the fact of the great reduction within the last four years in the number of master manufacturers in the said riding, a class of men whose active employment of a small capital, aided by their own personal skill and industry, has essentially contributed to raise and establish a competition, and a spirit of enterprize and exertion in the whole body of merchants and manufacturers which has so long secured the preference to British woollens in every foreign market, and that the distress and ruin of so many master manufacturers, added to the general stagnation of trade, have thrown out of employ great numbers of the labouring class of manufacturers, many of whom are thereby driven to seek

parochial relief, or to worse and more unjustifiable courses, and instead of contributing by their usual labours to the wealth of the nation, only multiply the heavy burdens and distresses to which those of the Petitioners are subjected who are not yet reduced to the same deplorable condition; and praying the House to take these facts into their most serious consideration, and adopt such measures, tending either to rescind or modify the aforesaid Orders in Council or otherwise, as the House in their wisdom shall deem best calculated to restore and preserve the trade of the United Kingdom, and in particular to open and establish our commerce with the whole continent of America."

Ordered to lie upon the table.

MOTION RESPECTING COLONEL M'MAHON'S BEING APPOINTED PRIVATE SECRETARY TO THE PRINCE REGENT.] Mr. C. W. Wynn rose, pursuant to notice, to move for the production of the Appointment of colonel M'Mahon to the new office of Private Secretary to his royal highness the Prince Regent. When he first gave notice of his intention to make this motion, he little thought that he should have been called upon to go into the subject in detail. He had imagined, that it was as much a motion of course as that which he had a few minutes ago submitted to the House; but he now found that it was to be resisted; on what ground it was impossible for him to conceive. He should have thought, that this was a case, which of all others rendered it necessary that the subject should be regularly before the House, that it might receive a formal and deliberate consideration. The office was a new one. There was no precedent for it in the history of the public acts of this country. Such an office might, indeed, have privately existed for a few years back, from the necessity of the case; but in the constitutional history of this country there had never been any thing like it. Under these circumstances, when such an appointment had for the first time been publicly avowed, surely it was but just and reasonable that the House of Commons should have that appointment formally before them, that they might perform their duty in examining into the matter, and expressing their opinion whether it was fitting or not that such an office should exist. He never recollected that such a motion under such circumstances

had been resisted. Nothing more was at present required than the production of the appointment in question. Was it becoming that this should be refused?—that they should be prevented from discussing a subject which most peculiarly called for attention in the regular and proper manner, because a minister chose to deny them the regular document? Yet certain it was, that notwithstanding the novelty of this appointment,—the uncertainty as to its exact nature and duties,—and the propriety of an examination into the matter by the House of Commons, they knew nothing more about it than what they learned from the Gazette, namely, "That colonel M'Mahon had been appointed private secretary to his royal highness the Prince Regent;" and what they heard from the right hon. the Chancellor of the Exchequer, namely, "That the duties of the office in question were those of a private secretary." From a suggestion across the table, he understood it was to be said, that no regular appointment to this office had been made out,—that there was nothing but a Minute of Treasury for the payment of the salary. If that was really the case, it was an additional objection to the proceeding. If the office was to be constituted at all, it ought to be done in an open and public manner, that the country might at any rate have some person to whose responsibility they might look. Here, again, he might be met with the appointment of colonel Taylor: but his answer was, that the appointment of colonel Taylor was only justified by the necessity of the case. This was an entirely different matter. It could not surely be pretended that the circumstances were at all similar. But what really was this office? What was the nature of the holder's situation? Was he to be a cabinet-minister, or a mere clerk or amanuensis? From any information that had been given on the subject, he was totally at a loss to know which of them. But where was the use of such an appointment? Did the circumstances of the present times render it peculiarly necessary? Let the House only look at the history of the country. King William the third was the soul—the prime manager and mover of the confederacy existing in his reign for the preservation of the liberty of Europe. He, besides, sat in his own cabinet; scrutinized every department of the state; brought every transaction under his own eye; yet king William had no private

secretary of this kind. When the house of Brunswick came to the throne,—when George the 1st came to this country, a stranger to our language, if at any time the appointment of such a secretary was reasonable, surely it was at that time: yet George the 1st had no such secretary. But it was hardly necessary to go farther back than the reign of his present Majesty. They all knew how he had attended to public business till the period of his unfortunate illness. He had probably paid a more rigid attention to business than any of his predecessors. No appointment, however trifling, was made without taking his pleasure upon it. From the expiration of the American war to the commencement of the present one, he had acted not only as a king but as a commander in chief; his pleasure having been always previously taken by the secretary at war upon every commission granted in the army. From the situation which he once officially held, he knew that there were in the home department several notes of his Majesty, proving how much attention he had paid to the public business; every act and appointment having been submitted to him, not nominally, but really for the purpose of his exercising a judgment upon it. Yet, amidst all this multiplicity of business, no one had ever thought of appointing a secretary of this kind to his Majesty, till the unfortunate complaint which led to the appointment of colonel Taylor. At last, then came the appointment of colonel Taylor; and they had to consider whether that formed any precedent for the present office conferred upon colonel M'Mahon. Were the circumstances the same? Every one knew they were totally different. The appointment of colonel Taylor was the consequence of, and arose from the deprivation of sight to which his Majesty was subjected. He was so blind as not to be able to read the communications of his ministers. It became necessary to provide some remedy for this inconvenience, and the appointment in question had been consequently adopted, as the most expedient plan. But it never had been imagined that this office was to be made a precedent for others of the kind, under circumstances altogether different. If ever this could have been believed, the appointment of Col. Taylor would unquestionably have been more particularly noticed: and, indeed, when the appointment was known to have been made, and

alluded to in that House, he recollected that there appeared to be a feeling on both sides, that since such an office had become necessary, it would have been better to have made it a public and responsible one. But this feeling was suppressed for the moment, from a regard to the wishes of his majesty, who was unwilling to expose his situation, and jealous of having his infirmity brought too much under the public eye. For this reason many of those who thought the nature of the appointment ought to have been considered by parliament, refrained from urging the matter at that time; but if they had conceived that this could have been made any ground for the present appointment, they would probably have acted differently. Where, he would again ask, was the necessity for this office? King William had no such secretary! King George the first had no such secretary! And—why had they not? Because the Secretary of State for the Home Department was the King's private secretary, and it was the business of the Secretary of State to wait on his Majesty, and take his pleasure with regard to the business of his situation. Such had been the usual course; such had been the course under his present Majesty, until the period of his malady; and even at that period, it would have been better if the Secretary of State had daily attended his Majesty, and taken his pleasure on the business of his office, without the intervention of another person. Perhaps this plan would have been followed, had it not been for the dislike which his Majesty took to his London residence. Averse to remain in a situation where his infirmity would be more exposed to public view, he resolved to reside at Windsor; so that the office to which colonel Taylor had been appointed became absolutely necessary. There was no alternative between this and the stoppage of public business, unless a new secretary of state had been appointed. But where then, was the reason for the creation of this new office at the present moment, with a salary of 2,000*l.* a year? The right hon. gentleman opposite suggested that there was a great accumulation of business. But had it really accumulated so much within these few years as to require the creation of a new office, where no disability in his Royal Highness to execute that business was ever alleged? "Look at the number of commissions in the army," it was said: "consider what a labour it is even to sign them." It might be so; but

surely it was not intended that the private secretary should sign the Regent's name to these commissions. If the labour was really too burthensome, it might be lightened by an expedient which had at a former period been adopted. The sovereign might execute a warrant empowering the commander in chief to sign as many commissions as were to appear in the Gazette on one occasion. This had, indeed, been recommended before to his present Majesty; but for the reasons before stated, the plan had been rejected. His Majesty had been averse to do any thing that might bring his infirmity more under the observation of the public than was absolutely indispensable. But where was now the reason against the adoption of this expedient? Where was the necessity for a private secretary to read to his Royal Highness the communications of his ministers? His Royal Highness resided in London,—the ministers had an opportunity of daily consultation with him. There was no need for a private secretary to communicate the result of their deliberations and their advice. He was anxious to be distinctly informed, for it was a matter of no slight importance, whether it was really to be permitted, that the communications of the cabinet council to the sovereign should pass through any third person whatever. If this was the object, then it became more particularly the duty of the House to examine into the nature and design of this appointment, and the consequences with which it was likely to be attended. He had no hesitation in saying, that it was a most unconstitutional proceeding, to allow the secrets of the council to pass through a third person; and he perhaps, no counsellor. (Hear, hear, from the Treasury bench.) He did not well know how to understand that cheering: it might perhaps be said, that colonel M'Mahon was a privy counsellor, (hear, hear). Why, then, this only made the matter so much the worse. By his secretary's oath, supposing him a mere clerk, he would be bound faithfully to read the communications to his Royal Highness, and faithfully to write whatever his Royal Highness should command. But in his character of privy counsellor, he was bound by his oath to give his advice upon what he read. He (Mr. Wynn) if he were in such a capacity should, in reading such communications, feel himself bound to give the best counsel he could upon the subject to which they referred. But was it really

fitting that the cabinet ministers should have their advice to their sovereign subject to the revision of his private secretary. If, indeed, it were acknowledged to be consistent with the constitution of this country, to have both an interior and exterior cabinet, he could understand why there should be a fourth secretary to carry the communications from one to the other. If it were constitutional for the sovereign to have both an open ministry and a private junta to carry on the government, such a secretary might be necessary to conduct the correspondence between these two bodies. If it were once allowed to be regular for a general officer, returning from an important expedition, and retiring from a situation of great responsibility, to give in a private report to the sovereign with a request not to shew it to his open advisers, then, indeed, there must be a private secretary of this kind. If it was regular that the high offices of the household should be hawked about, by the menial servants and attendants of the crown—as it was possible they might be on some occasions—then he could conceive the use of such an office as this; though, even then, he was satisfied there ought to be a regular and formal appointment, that the officer might be responsible. This was a most important view of the subject, and one which deserved the most serious attention of the House.

If the time at which the advisers of the crown had chosen to recommend this illegal step were contemplated, it would be found equally obnoxious. He would not now enlarge on the present distresses of the country, (on which nearly all could speak with feeling, because nearly all felt,) not because he feared the imputation that he was attempting to excite discontent, but because it was not called for. He despised popular clamour as much as any man, but he entertained great respect for public opinion, and public opinion declared that at this period, least of all, should any addition be made to the vast expenditure of the country. Colonel M'Mahon in the first instance, was named to an office, the abolition of which, a Committee of the House had strongly recommended, and when parliament decided that he should not retain it, the ingenuity of government had been directed to discover a new office, at least objectionable in the next degree. What would the public say of this but that a determination was evinced to create a place in order to com-

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pensate Col. M'Mahon for that of which he had been deprived in obedience to the sense of parliament? He would not enter into the nature of the services of Col. M'Mahon; it was doubtless proper that they should be rewarded, but were the places in the household of the Regent caught at with such rapacious greediness that nothing could be saved for a faithful servant? Would not the privy purse suffice, or if the salary were inadequate, could not the place of equerry be subjoined? If both together were not sufficient, surely other situations might have been discovered to fill up the measure of reward. He was quite at a loss to imagine, on what solitary ground this appointment was rested, since it was neither authorized by the constitution, nor justified by necessity. The Prince Regent, with all the active vigour of youth, and with none of the infirmities of his father, could require no such assistance as ministers seemed anxious to force upon him. He would rather have deferred these remarks until the paper was laid upon the table, but since his motion was to be resisted, he wished to point out the danger that would be incurred in such an attempt. He concluded by moving, "That there be laid before the House a copy of any Instrument, by which the right hon. John M'Mahon has been appointed Private Secretary to the Prince Regent in the name and on the behalf of his Majesty. Also for a copy of any Minute of the Board of Treasury thereon, directing the payment of the salary attached to the same."

Lord Castlereagh said, that the hon. gentleman had raised this question to a degree of importance which could in no view belong to it. The hon. gentleman was not justified in describing the motion as one which it was the intention of ministers to resist, as his right hon. friend (the Chancellor of the Exchequer), had said, that he had no objection to the production of the document in question; but that the grounds on which those documents were sought for, formed the objection to their production. For, if the object of the motion was to ground an impeachment of the appointment upon them, without any view to the instrument under which it was made, further than the production of it, he should certainly resist it, as he conceived that appointment necessary, under the circumstances which gave rise to it. The mere minute of the Treasury which constituted the appointment could not be necessary

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towards enabling the House to form any judgment on the propriety or impropriety of the appointment, but was moved for only to found upon it a charge of criminality on the office itself, and to persuade the House to take the necessary grounds against the continuance of it. As the hon. gentleman however, had thought fit to bring the question before the House, it behoved ministers to submit the grounds upon which they conceived the appointment stood with relation to the offices which they held under the crown. It was certainly the duty of the sovereign to take advice from the officers of the crown, for which advice they were entirely responsible; and he was perfectly prepared to concede the question, if there was any circumstance attached to the nature of this appointment, which detracted in the slightest degree from the responsibility of the ministers of the crown. If that case were made out by the hon. gentleman, it was enough, and he should withdraw all opposition.—But the fact was, that the functions of this office had nothing in them which required responsibility; and he now declared to the House, that colonel M'Mahon was incapable of receiving his Royal Highness's commands in the constitutional sense of the words, or of carrying them into effect—and that the individuals now exercising the functions of the ministers of the crown were alone responsible.—With respect to the nature of the appointment, he conceived that a Treasury minute was as effectual as a patent or any other; and as to the oath of office as a privy counsellor being so extensive in its nature, as represented by the hon. gentleman, he was not prepared to argue that point, but he conceived it was a new species of objection, and if pushed to the full extent, this obligation would bind a privy counsellor to obtrude his advice, not only upon occasions which fell within the line of his duty, but on any casual knowledge of circumstances, however foreign from it.—He next came to consider the nature of the appointment, which was precisely the same as that of any other private secretary, in any other office of the state, differing only in the rank of the personage under whom the office was held. Was there any more formal appointments of other private secretaries, and yet their functions were as important and as confidential? Was there any form of oath prescribed to any of those private secretaries, through whose hands the same papers passed, that would

pass through those of colonel M'Mahon? And yet no alarm existed on their account. It was unfounded then to represent this appointment as that of a fourth secretary of state; for it was merely furnishing his Royal Highness with the means of performing those duties, which he was unable to administer himself; and he begged the House to understand, that he considered this office only as an instrument for carrying on the business of the country; which brought him to the second part of his argument, whether this appointment was necessary to enable the person exercising the sovereign authority, to perform the functions of his high office; for he now supposed the appointment to be divested of all responsibility, for without that there would be nothing to justify it in the view of parliament. He was not much convinced of the solidity of that part of the hon. gentleman's argument which referred to the reigns of king William, and of kings George the 1st and 2nd, nor did he think that the House would see much analogy between those periods and the present. For his own part he was perfectly prepared to admit, in the face of the House, that he could not, by possibility, transact all the business attached to the office he held (and he was not disposed to neglect it), without some assistance. He was bound to attend that House from day day, and he would find it impossible to carry on the functions of his situation, if he were bound to have personal access to the sovereign every time that his orders were necessary to give effect to acts of state. But when the hon. gentleman talked of the reigns of William, and George the 1st and 2nd, the circumstances of the country were wholly different from the present. The army, at those periods, was a pigmy army, compared to that now existing; and the navy (though of a most respectable character) was of a different description altogether from the navy of the present day. The whole country was not armed as it now was, acting under commissions signed by the sovereign, and the whole sphere of business was more contracted. He could perfectly understand then that a sovereign in perfect possession of his health and faculties could discharge all the duties which were imposed on him by his office; and, besides, he believed the hon. gentleman would do him the justice to say, that ministers in those days were not in the habit of such constant attendance of parliament, night after night,

as at present. But he only asked, whether the precedents were not wholly dissimilar, on a reference to the different departments of the army and navy, and even to the home department, with the business of which the hon. mover must be well acquainted? And under such circumstances, he put it to the hon. gentleman and to the House, whether it was possible for the sovereign of this country to go on, burthened and overwhelmed as he must be by the public documents that were heaped upon him, and scarcely able to disengage his person from the accumulating pile with which he was surrounded? Even though his Royal Highness were to lower himself to the office of a private secretary, to the neglect of more important functions, it would be utterly impossible for him to do without such an officer. The necessity of the appointment, seemed to him to be fully proved, and the question was thus disengaged on two points from the objections raised against it. With regard to the creation of the office of private secretary, it was said, that it had never taken place until his Majesty's eyes were affected; but really the House would go on a very unsound principle, if they assumed that every person who should exercise the sovereign authority in this country was likely to be possessed of the extraordinary habits of his Majesty—which were all formed on the model of business—all his hours were devoted to this object, and the whole of his life occupied in it. He always rose uncommonly early, and had acquired such habits of business as could hardly be expected from every sovereign who should come to the throne of this country; but notwithstanding this extraordinary faculty for business, he did not believe that even his Majesty could have been able, without some assistance of this sort, to go through so much as the sovereign had now to perform. On the whole view then (particularly on that which related to the responsibility of the office, which he distinctly denied) there was no ground for the objections taken to it, and he hoped that the House would see that the constitution had not been trenchanted on; that the appointment had been rendered necessary by the increase of business; and if they concurred in these two points, the third would follow, that there existed no necessity for calling for the minutes, with a view to cast any censure on the appointment. For these reasons, and not from any objection to the production of the

paper, which was nothing more than a grant of 2,000*l.* a year as a salary, he felt it his duty to oppose the motion.

Mr. *Elliot* said, that whatever opinion he entertained of the new appointment which was under the discussion of the House, he felt that with respect to the illustrious personage who had been advised to make it, it was natural for him to feel a wish to reward a tried and faithful servant—for a faithful servant was a faithful friend, and fidelity in attachment was in all classes of life a distinguished virtue, nor was there any quality which tended more to exalt and elevate the character of a prince, than an adherence to those who had displayed towards him a tried and steady attachment. (Loud cries of Hear from the Opposition benches.)—But there was a marked distinction between the appointment of colonel Taylor and that of colonel M'Mahon, for in the former instance his Majesty had never called for the assistance of a private secretary until he was obliged to it, by his infirmities, whereas the illustrious personage in question was happily free from any thing of the kind. Colonel Taylor had been literally the hands and eyes of his Majesty; and to his everlasting honour be it said, that he discharged the duties of his office with such integrity, prudence, and reserve, as to shield himself against the shadow of reproach. If the ministers were incompetent to execute the duties assigned them, he was willing to afford them assistance, and, if necessary, he would consent that a fourth secretary of state should be established, even in a seat in parliament. But such a case of necessity had not yet been made out. If merely the arrangement of papers in boxes was to be the duty of the private secretary, it would not require that he should be a privy counsellor, or that his salary should be 2,000*l.* a year; because princes were always surrounded by those who could perform mere clerical avocations. The place, however, was of much greater consequence: colonel M'Mahon was a privy counsellor, whose bounden duty it was to advise the crown, and for such advice he was responsible, and might be called to an account. He admitted that the nomination of colonel Taylor was, in the first instance, improper, but the House was governed by a feeling of delicacy for the infirmity of a sovereign, which arose from his unceasing attention to his public duties. (Hear, from the Treasury benches.)—That cheer,

however, proceeding from the quarter which it did, should be a lesson to the House; because it showed how that which was originally justified only by necessity, and sheltered by delicacy, was likely to grow into a habit at once dangerous and unconstitutional.—His noble friend (lord Castlereagh), seemed to state, that the private secretary was not a sworn adviser of the crown: but he maintained that he was, and he became so legally and constitutionally, and in the eyes of the law responsible for the contents of every paper laid before the Prince Regent, and he should know that it was so—he was liable, for what he knew, to an impeachment.—He knew it might be stated, that there were situations under the different officers of state which were not gazetted, but these were under responsible persons. The secretary for Ireland was answerable to the lord lieutenant, and the lord lieutenant was accountable to the country. But here was a new secretary—a new official channel of command of the executive government of the country. The meaning of the word “secretary,” was a person who managed and wrote for another, and, under this definition, the private secretary of the Prince was the organ of the royal pleasure. The office was then either a public official one or not—if it were the former, let the person who held it be appointed a secretary of state; if the latter, let him not be a privy counsellor, nor have a salary of 2,000*l.* a-year. Under the present circumstances, it was an appointment in his view of the subject unconstitutional, unnecessary, and therefore inexpedient.

The *Chancellor of the Exchequer* observed, that the question could be considered only in two points of view, either as the office brought under their consideration was illegal, or as it was inexpedient. Before, however, he proceeded to offer his opinions to the House upon those two divisions of the question, he should advert to what had fallen from the hon. gentleman who spoke last. He had advanced, if not in precise language, at least in well understood insinuation, a doctrine altogether extraordinary, and, he would say, unconstitutional. If he understood his meaning at all, he believed him to assert, that it was a great and eminent virtue in a monarch to be influenced in the choice of his public officers, by the remembrance of past attachments, that the feelings which that remembrance might be supposed to excite,

could not err when they led to the appointment of men who were their object, to high and public stations. This was what he understood to be implied in the hon. gentleman's eulogy upon the fidelity of friends to former attachments, and he was borne out in his opinion, he apprehended, by the cheers with which the expression of the sentiment was received on the other side of the House. But, was it possible that any person could stand up in that House and say that private attachment ought to be the criterion by which a king should estimate the qualifications of his ministers, and not from considerations of the public interests of the state?—Was that the meaning of the hon. gentleman? Did he mean to say, that the monarch should be the head of a party instead of the impartial guardian of the welfare of his country? Would he insinuate such a doctrine? If he would, then he insinuated a doctrine more unconstitutional, more breathing the spirit of aristocratical confederacy, more extraordinary and unjustifiable than any he ever heard advanced in that House. If he did not mean that; if he had no such views; if his mind had no leaning towards recent events; if he had no allusion, at the moment, to the disappointment of persons who had been distinguished as the friends and companions of the Prince, more than his present advisers had been, then he should be ready to apologize for his misconception of him; but he apprehended it would be difficult for those who cheered the sentiment so warmly, to prove that that was not the meaning of the hon. gentleman, or that it was not their interpretation of it.

But to proceed to the question they then had to consider, a question that had been brought before them, in his opinion, with a great deal of unnecessary pomp and importance. The renowned champions of constitutional principles, the great advocates of constitutional rights, were eager to declare and vehement to maintain—What?—that the King should not have a private secretary! that the head of the executive government should not be relieved from that manual and bodily labour which any other person in the kingdom, having only half as much to do, would certainly be! that was the great object they now had to consider. In furtherance of that object, the instrument by which col. M'Mahon had been appointed private secretary to the Prince Regent, was moved for merely to ground upon it a censure of the appoint-

ment itself, or a declaration of its inutility. He saw, indeed, no occasion for the production of those papers, for they would tell no more than what the House already knew. If they specified the precise duties which col. M'Mahon had to perform; if they pointed out what he was to read and what he was not, what he was to write and what he was not; if they contained that kind of specification, then there might be some grounds for their production; but they contained none of those particulars; they contained simply a notification that colonel M'Mahon was appointed private secretary to his royal highness the Prince Regent. They who had any ulterior views, they who thought the instrument illegal, would of course vote for the production of the papers; but they who had no such views, nor such opinion as to the legality of the instrument, would take an opposite course. The proper mode of proceeding, in his apprehension, was to debate the point of its illegality or unconstitutionality, and its expediency; for when it had been shewn, as he believed there would be no difficulty in shewing, that the appointment was not illegal, it might still remain questionable as to its necessity.

He was at a loss to conceive how any person could regard the act as illegal and unconstitutional. Was it contended that the crown had no power to create a new office? If it was, he would refer those gentlemen who entertained such an opinion, to the statute book for proofs that such a power was constitutionally vested in the chief magistrate of this country. The statute of queen Anne recognized new offices appointed by the crown, but only disqualified the holders from seats in parliament. But he denied that it was a new office in the strict and literal sense of the word. The situation which colonel Taylor held about his Majesty, was one exactly similar to that held by colonel M'Mahon; it was just as new to the constitution, and if the one was illegal they both were. At the time of that appointment, however, there were no serious objections to it. Every party, in their turn, had made use of the instrumentality of colonel Taylor, without then finding out that it was illegal or unconstitutional. Those who first agreed to his appointment, and the hon. gentlemen who now sat on the other side, might, when they were in power, have brought this appointment before parliament for their sanction,

and thus have made it constitutional. None of them, however, at that time, appeared to have any such scruples upon the subject as had now been urged. The right hon. gentleman who had last spoken, said, that the private secretary of the Regent was the organ of his pleasure to all his subjects. This was fine language; but in what respect could he be called the organ of his pleasure? That mode of argument might apply to the writing of an ordinary note upon any ordinary occasion, in the Prince Regent's name, and which might equally be considered as communicating his Royal Highness's pleasure. But when we talked of the King's pleasure, it was customary to understand it as signifying his approbation or disapprobation of any state act: now, in that meaning of the phrase, he denied that colonel M'Mahon was competent to communicate the pleasure of the Prince Regent in any way that could authorize any subject in the land to attend to it, or to act upon it with official responsibility. He begged the House distinctly to remember, that it was no state office, but simply an appointment to relieve the bodily and manual labour which by the prodigious influx of public business attached to the functions of the head of the executive government. To the necessity of such an office, in the present state of the country, he should now beg leave to call the attention of the House; and here he hoped he should be able to satisfy those who heard him of the expediency of the appointment. The detail of the innumerable papers from various offices—the numberless acts which it was necessary to submit to the Prince Regent for his approbation or for his signature, some of them very urgent, and consequently to be presented as such, some less so, and hence to be disposed of in another manner—together with the manual labour attendant upon all those duties—formed a continuance of exertion which certainly required to be relieved in some way or other. The very arrangement of the mass of communications submitted to the royal attention, was in itself a labour which required the employment of a secretary, while it greatly facilitated the dispatch of public business by the person at the head of the government. It had been said that his Majesty discharged all that labour for five and forty years without any such relief, and that when he did have it, it was from a calamitous necessity which did not exist with

regard to the Prince Regent. His Majesty certainly did transact the public business without the assistance of a private secretary, and he did it to the astonishment of every one who was able to witness it: but while we did honour to the laborious activity and sedulous diligence of George 3, we should remember some discriminating circumstances between him and the exalted personage who now exercised the sovereign authority. The King came to the throne at a very youthful period of his life, and was early trained to those habits of business which accommodated themselves gradually to the gradual increase of labour which every year of his reign produced. In him it progressively became a task of comparative ease; but the Prince Regent entering upon the laborious details of government at a much more advanced stage of life, it could not be expected that he should possess those facilities in transacting public business, or that severe application to them which was the result of early habit in his royal father, and he would be overwhelmed at once by the mass of business which must come before him, were it not for the assistance of a secretary in the minor details of arrangement:—looking, therefore, at that part of the question alone, without advert- ing to the enormous increase of duties annexed to the functions of the sovereign, arising from the present state of the country, he could not but consider the present motion as the most extraordinary one that was ever brought before that House. It seemed to him to betray deep marks of a disposition to complain in the absence of all grounds of complaint—a determination to find grievances where none existed; but, he thought at the same time, that it displayed a miserable poverty of invention. When the hon. gentleman informed him some time ago in private, that he meant to bring the question before the House, he had told the hon. gentleman, that he should always wish his political opponents to choose such weak grounds of attack. Great pomp and solemnity had accompanied its whole progress to the present moment. A month or six weeks ago notice was given by the hon. member of a motion upon a most important constitutional question. Expectation was excited—the day arrived, and, lo! they were to decide whether the Prince Regent was to have a private secretary! Really he thought it a subject hardly to be viewed with that solemnity which the hon. mem-

ber wished to attach to it; he thought it was brought forward rather for party views—rather for the purposes of misrepresentation than any other. It was to persuade the country that colonel M'Mahon would be the organ of communication between that cabinet behind the throne, of which so much had been said, and the official servants of the crown. He was to be represented as the channel through which would flow that stream of secret influence, of unseen power by which the subordinate agents of governments were supposed to be directed. But, did any body believe all that? Such commonplace declamation might serve very well to turn a paragraph in a newspaper, in order to keep alive an impression unfavourable to government, but was hardly worthy of serious refutation: it was very well, to be sure, that it should be used by those who thought the Prince Regent's pleasure could not be properly communicated, because they were not the objects of it. He was afraid that he had troubled the House too long upon a case which really appeared so extremely plain; but he trusted he had said enough to shew, that the subject of the present question was not of that grave nature which had been represented; and that the appointment of colonel M'Mahon as private secretary was neither unlawful nor inexpedient, unless the House were prepared to make the Prince Regent one of the greatest slaves in his own dominions.

Mr. *Elliot*, in explanation, denied having used the expressions respecting the private attachments of the sovereign with the reference imputed to him by the right hon. gentleman.

Mr. *Ponsonby* thought the right hon. gentleman was perfectly right in making a speech for the hon. member (Mr. *Elliot*), in order that he might be able to answer it in his own way. The fact was, that the hon. member referred to, had never alluded to any sovereign, in particular, who chose the public servants of the crown merely from feelings of private friendship; and for his own part he hoped that no king of England in the present or in future times could be found capable of choosing his ministers solely on account of private services or private friendship. The Prince Regent, he felt assured, was above any such temptation; and he believed that any person offering such advice, poisoning his ear with such doctrines, would receive a contemptuous dismissal from his royal

presence as a reward for his pernicious sentiments. The right hon. gentleman himself was a proof that his Royal Highness was incapable of acting from motives of that description, for he had never heard that the right hon. gentleman aspired to the honour of being the early friend or companion of the Prince.

With regard to the legality or illegality of the office under discussion, neither the hon. mover of the question, nor the hon. member who spoke on the same side, had said any thing respecting it: but for himself, he should like to know who could give a positive opinion upon the one or the other, upon its illegality or its unconstitutionality, without more knowledge than the House yet possessed? If the right hon. gentleman would give them sufficient evidence upon all those particulars relating to that appointment which it was material the House should have, then they would be able to form a fit conclusion; but were they to come to a decision upon the propriety of the office, merely upon the assertions of the right hon. gentleman that it was expedient, that it was not new, that it was not illegal, and that it was not unconstitutional? If, however, they were to come to any decision upon those assertions, his decision would be, that the office, from the right hon. gentleman's description of it, was, most probably, unconstitutional, if not illegal. For what did he say, "that colonel M'Mahon was to communicate the answers of the Prince Regent to the high officers of the government upon all matters submitted by them to his Royal Highness." If it was so, then he was prepared to say, that it would soon be found that the private secretary of the Prince Regent had become the prime minister of England. The case had been paralleled with colonel Taylor's appointment, and the right hon. gentleman had insinuated his surprize at the supineness of parliament in letting it pass unnoticed at the time. He could tell him why it had passed so unnoticed. Besides the severe calamity which rendered that appointment necessary, there were sanguine hopes entertained of his Majesty's recovery, and it was understood that nothing would be more likely to hurt his feelings, in the event of such recovery, than to hear that any public enquiry had taken place as to his right to the assistance of col. Taylor. And was it the rt. hon. gent. who had been so long employed under his Majesty, who complained that steps had not been taken to question that appointment!

But the House had also been told, that the business of the state had so increased, that it was impossible for any king to discharge it, without the subordinate services of a private secretary. This he confessed was something new. His Majesty discharged that business for five and forty years without such services. "Aye," said the right hon. gentleman, "that is true; but then the King came to the throne at a very early age, and habits of application became gradually formed in him, and besides, the public business was then much less than it is now." Was there indeed little to do at his Majesty's accession? Did he not succeed to the throne in the middle of the seven year's war, and at a period when the foreign correspondence of the country was not only equal, but five times greater than at the present moment? Yet his Majesty (unquestionably the most diligent sovereign the country ever possessed) discharged all the duties connected with his station in person, unassisted, and alone. What however was to be inferred from the argument of the necessity of the appointment? Why, that it was to be perpetual, that it was to be a permanent office. Every future sovereign might claim the same privilege, if the precedent were established; and in that case, if such an officer was to carry on all the confidential communications between the King and his ministers, it became additionally important that parliament should interfere, and see that proper guards, and a proper degree of controul and security were provided for the execution of the office. In support of the necessity of this, he would beg the House to look a little to the future. We were not always to suppose that a prince would succeed to the throne in the same maturity of age as the present ruler; we might have, at no very distant day, a female there, totally inexperienced in public affairs; we might have a monarch whose debilitated frame would render assistance of that kind dangerous, or one whose love of indolence, whose abhorrence of public duty, would dispose him equally to employ it: what then? Would that private secretary have no influence upon the government, under such circumstances? Was it not likely that the sovereign would sometimes lean upon the suggestions, or the opinions of that secretary? It was not in the course of human affairs; it was not in the nature of things but that such an officer must be an efficient and powerful instrument in the adminis-

tration. It became, therefore, the duty of parliament to enquire rigidly into the nature and the duties of an office so replete with danger to the constitution.

The right hon. gentleman talked about exterior and interior cabinets, and described the sentiments of those who maintained their existence, as a sort of political opposition cant; as the discontented cry of gentlemen out of office who would be very glad to get in. All that might be true with regard to the present moment; but, would he pretend to say, looking into the history of the last century, that no such secret influence had existed in this country; would he affirm that ministers had always acted free from the influence, free from the secret wishes of an interior cabinet? He believed the right hon. gentleman would not say that, for he knew it was not the truth: he knew that there had been such unseen influence, and that there might be again an interior and an exterior cabinet. With such a conviction on his mind, he felt justified in calling upon the House to support the motion of his hon. friend; he wished to see the authority under which colonel M'Mahon acted; he wished to know what were his duties, what his responsibility, what the precise nature of his office. He was aware that the Treasury minute would shew that he was to have 2,000*l.* a year; but he wanted to ascertain what instructions he received—under what patent or other instrument he acted. The more the House looked at the question, the more, he was convinced, they must feel its importance, notwithstanding the levity with which the right hon. gentleman had treated it—a levity which, he really believed, in his sober judgment he disclaimed. For himself, he condemned the appointment *prima facie*; but before he condemned it by his vote, he should like to have some better evidence before him. He should like to know precisely for what purposes colonel M'Mahon was appointed. Not, surely, as the noble lord had stated (Castlereagh), that his Royal Highness might not be suffocated beneath piles of papers, unable to move from under them. He should, indeed, be sorry at such an event; but if that were the danger that was to be avoided, he feared the appointment would not answer all its purposes—for if his Royal Highness was not an Atlas, his private secretary was certainly not a Hercules, and, like a favourite cat, drowned in a bowl of milk, we should, perhaps, see colonel

M'Mahon's death announced, suffocated under reams of official paper. He begged pardon of the House for imitating the levity of the right hon. gentleman, and concluded by declaring, that his vote should be given for the production of the documents moved for. In the event of their production, it would be for the House to consider what further steps ought to be taken.

Mr. Secretary *Ryder* observed, that the more the House heard of this business the more they must feel surprised that his hon. friend (Mr. Wynn), after reflection, had persisted in his motion. He was anxious to rescue his right hon. friend (the Chancellor of the Exchequer) from that species of misconstruction which had been too frequently practised on the opposite side of the House—he alluded to the assertion made by the right hon. gentleman who had spoken last, that his right hon. friend had invented a speech in order to have an opportunity of answering it.—The only proof of this invention which had been adduced was, a statement that his hon. friend had imputed to the gentleman on the other side of the House, the use of the words “illegal and unconstitutional,” when no such words had been uttered. He believed that his right hon. friend was perfectly correct in asserting, that the hon. mover of the question had described the office as illegal—[Mr. Wynn said, No! No! across the table].—The hon. gentleman said he had not used the assertion, and he had no doubt he was right; however, it was of little import, whether the word illegal or unconstitutional was used, for that which was unconstitutional could not be legal.—He did not, however, believe, that one constitutional principle had been violated by the appointment in question. If his Majesty had not been afflicted with his present calamity, notwithstanding all the advantages he possessed, from the immense accumulation of business since the year 1805, it would have been impossible for him to have executed his functions without that species of accommodation which had been afforded his royal highness the Prince Regent, by the appointment of col. M'Mahon.

Mr. *Lamb* thought that the House must agree to the motion, for the purpose of passing a censure upon the appointment, and of reversing it, unless every thing that was constitutional was to be given up to the mere purposes of convenience. All the original objections to the office not alone remain unanswered, but had been

considerably strengthened. The nomination of colonel Taylor had nothing in it similar, he thought, to that of colonel M'Mahon; the former was rendered necessary, if he might so express himself, by the hand of God; and it could not therefore form a precedent for the case then before the House. The impropriety of that case he had not heard refuted; he had heard levity indeed, and a good deal of unsuitable indignation; but they did not seem to suit that era of Lacedæmonian virtue, upon which he hoped to see both sides of the House act. As to the increased public business, which had been assigned as the cause of that appointment, that did not fall upon the King, but upon the servants of the crown, and surely with all the assistance which they derived in their several departments, they might so arrange the papers which had to receive his Majesty's final sanction, as to render it unnecessary that they should go through the hands of a private secretary. It was impossible to surmise to what extent such an office might lead; or how far ministers might surrender their right of access to the sovereign, when an intermediate channel of communication was interposed. It was said that the office was not a state one; but who knew how soon it might become such? or how soon a king might sit upon the throne, who would delegate to his private secretary what ought to be the peculiar functions of the chief magistrate? Might not an indolent monarch, one disinclined to public business, hand over to that secretary an unread paper, and bid him answer it according to his own judgment? When the evils which might spring from such a source were contemplated, he would ask the House if they could be induced to sanction such an appointment? Viewing the question therefore as one of great importance, he should vote in support of the motion.

Mr. Calcraft declared his readiness to look at this question in every point of view, but that he was utterly unable to see any thing of that alarming nature, or of those dangerous consequences apprehended by his hon. friends. He had often heard that to be placed at the head of the government was a situation of great labour and hardship; but it would indeed be a situation of hardship if the sovereign was to be denied that assistance which was possessed by every one of his ministers. He was surprised to hear alarm carried to such an extravagant length as to suppose

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that colonel M'Mahon might become the real prime minister. Had they not seen colonel Taylor holding the same office, and exercising the same functions for seven years without any danger to the state, or injury to its interest? Had they seen him usurp any of the kingly powers, or endanger any of the royal authorities? No—but now that another person was introduced to the same office, and that the Prince Regent sat on the throne, all these magnified and imaginary perils were brought in dreadful array before them. He begged the House to pause and look at the question through the medium of common sense. What was col. M'Mahon to do, but what col. Taylor had done before? The business of col. M'Mahon, as secretary, was to examine and transmit papers; and was it possible in the multiplicity of affairs that pressed on government at present, that any monarch could act without some such assistance? The secretaries of state had their private secretaries, and could it be fairly called unconstitutional, because king William and king George the 1st and king George the 2nd did not require such an officer, when the fatigues of the sovereign were comparatively trifling? If the Prince should be ill advised, there were responsible persons, but he could not consider it consistent with the nature of his office in a private secretary to give advice to his master. He thought that an importance was attached to the subject much greater than it deserved, and as the motion was evidently intended to censure and reverse the appointment which he deemed useful and indispensable, he should vote against it.

Mr. Whitbread.—Sir, this is a new era indeed. This it seems is a period when early friendships come to be naturally sacrificed. If on entering this House I had happened to hear the voice of my honourable friend who has just sat down, I would have hazarded any wager that he was raising it in support of the motion. I am sorry to find this difference of opinion among early political friends. Sir, he has arraigned my honourable friend for making this motion, a motion which the right hon. gentleman opposite has declared, and certainly his manner corresponded with his declaration, he felt sincere satisfaction at seeing brought forward.—The appointment of colonel Taylor has been quoted in defence of the appointment of colonel M'Mahon, and unquestionably it is true that the former appointment was highly

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objectionable. But if a feeling of tenderness was indulged on that occasion, if a forbearance arising out of peculiar circumstances was then acquiesced in, I certainly should not have expected that my hon. friend, who sympathized in that tenderness, and was present at that acquiescence, would now endeavour to derive thence any precedent hostile to the motion of my hon. friend. The time has, however, arrived, when all former predilections are to cease to be indulged, though I am yet glad to find that he who was a strong friend, is not likely to prove a formidable enemy. Like the noble lord who appeared to me always to speak best when most distantly removed from the Treasury bench, I think I never heard my hon. friend reason so weakly as on the present occasion. He has confounded the identity of the cases of col. Taylor and col. M'Mahon. Does he forget that colonel Taylor was not a member of the privy council? That he was not a member of parliament? [Mr. Stephen cried Hear!] The hon. and learned gentleman is pleased to cheer me, has he any doubts? for if he has, I beg to refer him to the Almanack. Col. Taylor was likewise, if I mistake not, paid out of the King's privy purse, but certainly was introduced to this situation solely on account of his Majesty's age and bodily infirmities. We have been told of the necessity of furnishing the crown with requisite assistance, is it meant by this, I ask, to insinuate that col. M'Mahon is necessary to enable the reigning prince to discharge the functions of the monarchy? Something like a contrast has been drawn by the noble lord opposite. I am sure that the King would have been affronted had he been told that he wanted assistance. Is Col. M'Mahon to read to his Royal Highness all the papers that are submitted to his perusal? Other duties, however, have been named by a right hon. gentleman, the Secretary of the Home Department, who in coming to the rescue of his right hon. friend, the Chancellor of the Exchequer, reminded me of the noble lord's ludicrous image of col. M'Mahon digging up the Prince from a file of papers.—In what did colonel Taylor's duties consist, in what but in being the conduit between the King and his ministers? But we are told by the right hon. gentleman, that colonel M'Mahon may have other avocations, that it may be his duty to select and put forth such papers as ought to be laid before his Royal Highness, for the purpose of being taken into

his early consideration; and consequently to keep back other papers which he may not judge to be of that urgent nature. What is this but to give to colonel M'Mahon a controul over the interests and fortunes of men? If it be said on the other hand that colonel M'Mahon—a privy councillor's, duties are to be confined to the arrangement of bundles of papers, of tying them up in tape, and disposing them in due order, is this a service that deserves the remuneration of 2,000*l.* per annum? The whole affair wears the aspect of a place made for colonel M'Mahon; it has nothing constitutional belonging to it, no definition of duties, no copy of appointment; nothing but a vague Treasury minute. To be sure, it is said that the Prince Regent cannot listen to bad advice, and that colonel M'Mahon is incompetent to give it. I speak not of George Prince of Wales, nor of colonel John M'Mahon; but, Sir, we are to consider Regents and Secretaries in general, and in so doing we are justified in assuming the possibility of weak princes and dangerous secretaries, and of the most mischievous consequences resulting. The House of Commons has once prevailed lately, on the question of another appointment, against the right hon. gentleman, who does not yet seem to have finished his ministerial arrangements. I observe, indeed, many old faces in new parts of the House, and I hear of others who are willing to accept of place, if their wisdom be only duly estimated by the present cabinet.—It has been announced too that one right hon. gentleman (the Vice President of the Board of Trade) has offered to give his gratuitous assistance to the government. Surrounded therefore as the Prince is by interested and disinterested advisers, how do we know that colonel M'Mahon may not in a few days be a cabinet minister? We see one man give up his place on condition of being allowed to advise, and we see another refuse to advise unless he receives a place. Col. M'Mahon has been already dislodged from one situation by the advice of parliament. I think the House of Commons redeemed much of its character on that occasion, but I am sure it will lose much in the estimation of the country, and of its constituents, should it sanction this appointment of the noble lord, whose fortitude in entering upon office in these times of hard labour and warm debate, cannot be too much admired, and who told us in one

breath that he was equally 'ready to maintain and to deny.' The noble lord has referred to the reign of William, as if to compare his labours with those of the ministers of that monarch. Undoubtedly the Somers's, the Godolphins, the Marlboroughs of that time, were pigmies contrasted with the giants of the present day in politics, although perhaps in point of military merit there is no necessity for degrading comparisons.—But still it would be a very bold thing to say that king William, who only reduced the power of France, which the giant statesmen of the present day have extended and confirmed, that he and the ministers who were the aid and instruments of his commanding wisdom, deserve to be put in the scale against the noble lord, or any of his right hon. colleagues.—The noble lord found on his admission to office, that during the administration of his predecessor, two ambassadors had been kept a year at home, as it were to season them in their new characters, and by a magnanimous effort he sent them to their destinations. The noble lord's hands must be full indeed. An Austrian messenger is said to have just arrived, and I dare say, there is a prodigious ferment in the foreign office, and that the noble lord's mind is too much heated and occupied with other and grander speculations, to think that any time should be lost, in considering whether the public ought to pay 2,000*l.* per ann. to colonel M'Mahon for tying up and docketing papers. Notwithstanding, however, these pursuits and occupations of the noble lord, it is not to be forgotten that this is a new case, such, perhaps, as is quite worthy of this new æra. It behoves the House to remember that which is manifest, that the Prince Regent, in the full possession of his faculties, in the vigour of a health not likely to be impaired for many years to come, perfectly able to read and write, and fully competent to the transaction of public business, calls in that species of assistance which William 3, which Geo. 1, and George 2, in their long career of glory, and at those periods which are universally deemed to be the proudest in our national annals, did not require, which George 3 did not require, until by the severe visitation of Providence he was afflicted with blindness.—“What! deprive the Prince of a secretary,” exclaims an hon. gentleman; “will you give him no help, will you afford him no time to deliberate on

the vast projects of those illustrious ministers by whom he is surrounded?” Why, Sir, his Majesty managed to do all this.—Oh, but then you do not consider the prodigious increase of public business since 1804, and indeed there may be some reasonable wonder how the business of that year was got through.—What so moderate too, it is asked, as the sum of 2,000*l.*?—and if it be so moderate, what objection can there be to the Prince paying it out of his own private purse?—It was not the amount of emolument that constituted the objection to colonel M'Mahon's former appointment, but the principle, which has been condemned, as I trust the principle of the present appointment will be, by the House of Commons. The House ought to inform itself of the real duties attached to this newly erected office. I do not believe that they consist in the drudgery described. As a privy counsellor, colonel M'Mahon has a right to give advice to his Royal Highness. A noble lord and two right hon. gentlemen, whose arguments were so much alike as to render it difficult to distinguish between them, tell us at once that the Prince Regent cannot act without the aid of such an appointment. Do they mean to say this, that it is to be co-ordinate with the functions of royalty, that the monarchy is too unwieldy to be managed by a single hand, and that therefore, there is a necessity for calling in colonel M'Mahon to bear his share of the burden?—From the cheer of the right hon. gentleman, when by a right hon. friend of mine the phrase of ‘early predilections’ was used, he may have supposed that I included myself in the number of those to whom it might generally be applied. But I beg leave to disclaim the honour; the shot passed over my head. Doubtless we now know nothing of private attachments or private actions, though a pretty general belief once prevailed that there once were such things as political preferences and regards, since they appeared to be well authenticated and recorded. But this is at an end; the scene is closed; and we are henceforward to look only to the appointed and responsible servants of the crown, for the opinions of the crown, and I trust that after all we have heard, and all we have experienced from the evils of a secret influence, we shall not permit this new æra to be signalized by the formal appointment of an intermediate officer between the crown and its ministers.

Mr. *Wilberforce* declared, that with one exception, there could not, in his opinion, be a more unobjectionable appointment than that which was the subject of the present discussion. By the general acknowledgment, there was a greater weight of business on the sovereign at the present day, owing in a great measure to the extended scale of our military operations, than at any former period. If any one voted against the motion, except on the conviction that there had been a great increase in public business, that person's view of the subject was very different from his. Under similar circumstances any man, even if he possessed the exertions and talents of the hon. gentleman who had just spoken, might want a secretary. The situation of private secretary was not one of responsibility, neither did it encroach on the province of any minister of the crown. The ministers of the crown would still be the legal and constitutional organs through which all the public business must be transacted; and they would be liable to the same responsibility after this appointment as before it. The necessity of a private secretary to the Prince was obvious. As a precedent it was not dangerous. It was indispensable. Even his present Majesty, the most laborious prince who had ever filled the British throne, had, towards the latter part of his reign, been almost overwhelmed with public business. At the same time he must frankly declare his wish, that colonel M'Mahon had been paid out of the privy purse. It would have been a more seemly and decorous proceeding; though certainly the publicity which the proceeding that had been adopted in preference gave to the appointment, was a kind of security against any secret influence. As he was on the subject of secret influence, he would mention to the House, that he once had a conversation with a noble lord, now no more (lord North), who, in a former part of his political life, had spoken of an influence behind the throne, greater than the throne itself; and that on his questioning that noble lord towards the close of his life, with respect to his then opinion on the existence of such influence, his lordship said that he did not believe that any such existed. He had often been joked about his doubts as to his vote; but on this occasion he should have no hesitation in voting against the motion, because to vote for it would be to vote for the reversal of the appointment in question.

Mr. *Whitbread* explained; and said, that in the various trades he was engaged in, he employed many clerks: he had one private one, but he paid him out of his own pocket.

Lord *Folkestone* wished to know what were the functions of the private secretary? Colonel Taylor's appointment formed no precedent. The present was like a question about a favourite or minion. He remembered when he was abroad in Russia, in the Emperor Paul's time, when prodigious activity seemed to prevail in the offices, and even the petty matters and details of the dress regiments were made concerns of the most serious importance; there was a person, sprung from low extraction, who rose in favour till he was actually made Privy Counsellor and Private Secretary to the emperor. This man was most about the imperial person, and every communication was made through him. Though he held only those two offices, all the parasites of the court fawned upon him. After some time, it appeared he was subservient to the views of France. He destroyed the influence of the ministers, who were there responsible to no parliament, overcame a proud nobility, turned them out of all places, and ultimately laid that country at the foot of French intrigue. He did not mean to say, that colonel M. was a man likely to do this: but it was right to look at the possibility of bad successors to such an office under some future weak prince. Seeing the possibility of such a danger, he should vote for the motion.

Mr. *Marryat* would vote against the motion, because he conceived it a party question, and not involving anything constitutional. Surely they would not refuse the Prince Regent a private secretary; when they allowed three to a military commander.

Mr. *Charles Adams* said, that he voted against the last appointment of colonel M'Mahon, because it was directly in the teeth of a resolution of the House. As to the present appointment, he had not heard any ground of opposition to it. The hon. gentleman on the other side had alluded to members who had lately changed their seats. If he had changed his seat, he certainly had not changed his mind; for he would give the same conscientious vote now that he gave then. In this new era he did not doubt but many members would have been glad to have changed sides; and he knew that even the hon.

gentleman himself had before altered his seat, though not perhaps his principle. The hon. gentleman would give him as well as himself the advantage of the classic maxim: 'Cælum, non animum mutant qui trans mare currunt.'

Mr. *Tierney* regarded the present as a most important question. The hon. member for Yorkshire had approved of the appointment on the ground that the Prince Regent was too weak and infirm an old gentleman to act without it, and thus, for once in his life, had made up his mind to a decided vote. He understood the hon. member also to bestow his approbation on the proceeding, because there had been a great addition to the business of the sovereign. Now where was the addition to be discovered? Was it in the foreign office? Had the present foreign minister more to communicate to his Royal Highness than his predecessor had to the King? Was it in the home department; Admitting this to have increased, was it not known that all the details were managed by the minister, leaving to the Prince nothing but the task of affixing his signature—a task from which no private secretary could relieve him. He hoped the hon. member for Yorkshire, on informing himself a little better on this part of the question, would see reason for changing his opinion. The only duty that could be named, certainly appeared to be that described by his hon. friend, of assorting and tying up papers in red tape, although the hon. gentleman, for the first time he believed in that House, had talked of the necessity of attending to the Prince's private concerns. The private secretary truly was to assist the Regent in his private correspondence. Now really, he was not aware of any increase in the private friends of that illustrious person which made such an appointment necessary. And if there were, what necessity was there for making the private letter-writer a privy counsellor? Colonel Taylor might or might not be private secretary to his Majesty, but he had no right to assume that he held such a situation. His appointment was not gazetted. He understood that his Majesty objected to his being a privy counsellor, not being willing to recognize the necessity of assistance in the discharge of his royal duties from any quarter whatever. Colonel Taylor, though not paid out of the privy purse, was paid out of the royal and special bounties; his salary never met the public eye, and it

could never furnish a precedent for the appointment of colonel M'Mahon. By the dexterity of their former patriotism, the House had brought an additional burden on the country of 300*l.* a year. It was to be considered too, that the salary of this appointment was not the only one enjoyed by colonel M'Mahon. He had undoubtedly been a faithful servant, but was he not rewarded at least in a fair proportion to his services? At that moment, as privy purse, he received 1,000*l.* a year. As auditor of the duchy of Cornwall, he received 1,000*l.* a year more; besides 500*l.* a year as secretary to the Prince in his ducal capacity. With this new office, therefore, he received 4,500*l.* a year; which was pretty well. The hon. member for Yorkshire, notwithstanding the vote he was to give that night, had yet started one little difficulty, which was, however, something for an economical gentleman like him—he was sorry that any money at all was to be paid by the country for this appointment. For his part, he had no hostile feeling to colonel M'Mahon, and wished to do nothing unpleasant to the Prince. He would allow that it might be necessary for the Prince to have advisers on military and other subjects. This, however, was said to be quite different; to be a private situation. He denied that there could be any thing private in such a situation. Colonel M'Mahon must either be secretary of state, or he could be nothing. Another thing he wished to know, was, whether this was to be a place for life or not? How did he know but that immediately after this appointment other persons might be called in to discharge the pretended duties of it, and that this might turn out a direct sinecure for colonel M'Mahon? He would own, for his own part, if he were to have any transactions with his Royal Highness, he would not apply to him through the medium of the right hon. gentleman opposite. He would prefer the intervention of colonel M'Mahon to going through all the tedious frivolities of Downing-street. Though some men might be without prejudices and predilections, there were others who might have them, and he, for one, certainly would entertain a predilection for one of these modes of application in preference to the other.—The hon. member for Yorkshire had said, he would have no objection to the production of the papers moved for, if they were wanted for the purpose

of information.—That was exactly what he wished for. He asked for nothing but to know whether or not the country required this new office? He believed that it was no more than a pretence to obtain 2,000*l.* a year from the public for colonel M'Mahon.

Mr. *Fuller* should vote with all his heart and soul against the motion. Did not they allow on the other side that his Royal Highness had an immense number of private letters to write? And was that no ground for the appointment? Gentlemen should recollect, that when his Majesty ascended the throne, he was young and hearty.—That he used to get up and go to bed early.—And that he was quite able to go through all his papers without any help. Now did not they know that the Prince Regent was not so young, and that he would therefore want a secretary? The question was a Grenville question. It was worse than a party question. If the Grenvilles wanted to be so very patriotic, why did not some of the family throw up their sinecures? It would have been real patriotism to take no more of the public money from an overburthened people; not to be sucking their blood as those patriots seemed, out of affection, determined to do. Sinecures that, when they were conferred on that family, were worth but about 5 or 6,000*l.* a year, now had increased to 30,000*l.*; and yet it was this bloated family that complained of colonel M'Mahon's appointment. In fact it was their vanity that was disappointed, and all those measures were the result of that disappointment. There was a rancorous hatred lately manifested against all the measures of the Prince Regent, and it betrayed itself on this as well as on other occasions. Let the country now see who were the real friends of the Prince Regent. He did not mean any disparagement to lord Grey and the duke of Bedford; but they chose to load themselves with the Grenvilles. If they would tie a mill-stone about their neck and sink, it was not the fault of the Prince, nor of the country, but their own.

Mr. *W. Wynn* replied, when the House divided,

For the motion 109: against it 176—Majority 76.

List of the Minority.

Althorpe, lord	Blackburn, J. J.
Abercromby, hon. J.	Babington, T.
Astley, sir J.	Brand, hon. T.

Burrell, sir C.	Knox, hon. T.
Buller, J. (Exeter)	Knight, Robt.
Baker, J.	Lamb, hon. W.
Barret, sir C.	Lytelton, hon. W.
Baring, sir T.	Lemon, sir W.
Biddulph, R. M.	Langton, G.
Busk, W.	Latouche, R.
Brougham, H.	Martin, H.
Baring, A.	Morris, E.
Burdett, sir F.	Morpeth, visc.
Barham, J.	Milton, visc.
Bennet, hon. H.	Macdonald, J.
Chaloner, R.	Maule, hon. W.
Cavendish, H.	Madocks, W.
Curwen, C.	Mills, Wm.
Creevey, T.	Newport, sir J.
Craig, J.	North, D.
Cole, Ed.	O'Hara, C.
Campbell, gen.	Ossulston, lord
Combe, H. C.	O'Callaghan, J.
Calvert, N.	Ord, W.
Colborne, N. W. R.	Ponsonby, rt. hon. G.
Cuthbert, J. R.	Piggott, sir A.
Dillon, hon. H. A.	Power, R.
Dundas, hon. C. L.	Prittie, hon. F.
Dundas, hon. L.	Ridley, sir M. W.
Duncannon, visc.	Romilly, sir S.
Eden, hon. G.	Sebright, sir J.
Elliot, rt. hon. W.	Sharp, R.
Ferguson, gen.	Smith, Wm.
Folkestone, visc.	Smith, S.
Grattan, rt. hon. H.	Smith, G.
Grant, G. M.	Speir, A.
Greenhill, R.	Scudamore, R. P.
Gower, lord G. L.	Shipley, col.
Grenfell, P.	Tierney, rt. hon. G.
Hussey, T.	Taylor, W.
Harbord, hon. E.	Tarleton, gen.
Hibbert, G.	Tremayne, L. H.
Hughes, W. H.	Vernon, G. G. V.
Hamilton, lord A.	Williams, sir R.
Herbert, hon. W.	Wrottesley, H.
Horner, F.	Whitbread, S.
Hutchinson, hon. C.	Ward, hon. J.
Halsey, Jos.	Western, C. C.
Ingleby, sir W.	Wilkins, W.
Kemp, T.	TELLERS.
Kensington, lord	Wynn, C. W.
King, sir J. D.	Giles, D.

[BARRACK ESTIMATES.] The Report of the Committee of Supply being brought up and read,

Mr. *Fremantle* objected to the Barrack Estimates. He said, that the barrack to be erected in the Regent's Park was estimated to cost 133,500*l.* which was only to contain 416 men, which would be at the rate of 350*l.* per man. That at Liverpool, which was to contain 2 regiments of infantry, would cost 82,000*l.*; and that at Bristol, for only 800 men, was estimated at 60,000*l.* making a total of 275,000*l.* for three barracks. He then argued at length on the general extravagance of expenditure in the barrack system, which had

since the commencement of the war, cost the country upwards of 15 millions. When this enormous sum was taken into consideration, he was convinced the House would pause before they voted such a large additional sum as that now required, till they saw the estimate and the plan, and could thereby form something like a correct idea of the real expence.

Mr. *Wharion* contended, that the gentleman had mixed the barrack expenditure with the building of barracks, and that the whole expence of barracks since the commencement of the war, did not amount to within two millions of the sum he had stated.

Mr. *Whitbread* proposed instead of the word "now," "this day se'nnight."

A conversation took place, in which Mr. Ponsonby, Mr. Wilberforce, Sir J. Newport, and Mr. Bankes, spoke in favour of the amendment; and it was at length agreed, on the suggestion of Mr. Bankes, that the report should be agreed to, with respect to all the articles, except those which related to the barracks, and that they should be deferred till this day se'nnight.

HOUSE OF COMMONS.

Wednesday, April 15.

PETITIONS FROM DUNFERMLINE AND STIRLING RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the provost magistrates and common council of the royal burgh of Dunfermline, in council assembled, was presented and read; setting forth,

"That, in the view of the approaching expiration of the Charter of the united company of merchants trading to the East Indies, by which a commercial monopoly is enjoyed by that company, in the humble opinion of the petitioners, highly prejudicial to the interests of the country at large, they beg leave respectfully to convey to the House their sentiments on a subject of such great and general importance, and especially at a crisis when, from the continental restrictions on the trade and manufactures of Great Britain and Ireland, the commercial interests of the empire have suffered incalculable injury; and that, far from presuming to obtrude any particular suggestions on a subject to which the united wisdom of the legislature is now called, the future government of British India, and disclaiming all interference with the East India trading com-

pany, either in their corporate capacity or otherways, the petitioners, confiding in the liberal and enlightened views and wisdom of parliament, humbly hope and trust that the exclusive privileges of the company may not be renewed or continued; and that the East India trade may be made admissible to all the subjects of the empire, a measure that will certainly afford an extensive field for the employment of mercantile talents and capital, now rendered nearly dormant through the tyrannic policy of a lawless despot, beyond whose iron grasp, the opening a field for a free and unfettered trade with so large a portion of the globe, comprehended under the exclusive grant to the East India company, holds out a fortunate substitute for the temporary loss of European commerce; and praying the House to adopt such measures as may render it lawful for any of his Majesty's subjects, from and after the 1st day of March 1814, to carry on, from any of the ports of the United Kingdom, a free and unlimited trade with the British possessions in India, and other countries situated to the East of the Cape of Good Hope and to the West of Cape Horn."

A Petition of the guildry of Stirling, was also presented and read; setting forth,

"That, in the prospect of the East India company's charter being soon expired, the petitioners beg leave respectfully to address the House on this very important subject, so highly interesting to the empire at large; and that they humbly plead the natural right that every British subject has to exercise a free trade with every country dependent upon or in amity with the British empire; that the experience of past ages sufficiently proves the general inexpediency of commercial monopolies; that the monopoly hitherto enjoyed by the East India company, while it has excluded British subjects from any participation in the trade, so far from operating to the advantage of the company, has laid them under the necessity of frequently applying to government for enormous sums of the public money to support their establishment, so that even in this respect it is a national grievance; and that it is extremely discouraging, and in itself unnatural, that the merchants of foreign nations should be allowed the benefit of a free trade to British possessions of such magnitude, which is denied to British merchants; and the circumstance of Americans and other foreign nations carrying

on trade with those countries comprehended in the East India company's charter, completely refutes the arguments urged by those interested in the monopoly, of a free trade being prejudicial to private merchants, and that the petitioners humbly beg leave farther to state, that the continuance of this monopoly bears peculiarly hard on British merchants at present, when our inveterate foe is exerting all his power to shut out this nation from commercial intercourse with the continent of Europe, which renders the continuation of that system peculiarly inexpedient; and that, on the other hand, the admission of a free and unfettered trade with such a large proportion of the population of the globe most fortunately presents a very seasonable substitute for the loss of European commerce, the vast extent of countries and variety of climates, situated between the Cape of Good Hope and the Straits of Magellan, affording an extensive field for mercantile talents and capital, beyond the tyrannical grasp of the enemy; and such an opening cannot fail to prove highly gratifying and beneficial to the British empire at large, strengthen and secure its vital interests, by reviving languishing commerce and manufactures at home, and most effectually defeating the grand object of our inveterate foe on the continent; and praying the House neither to renew nor continue the exclusive privileges of the East India company, and in its wisdom to adopt such measures as may render it lawful for any of his Majesty's subjects, from and after the 1st day of March 1814, to carry on from all ports of the United Kingdom a free and unlimited trade with the British possessions in India, and with all other countries situated to the east of the Cape of Good Hope, and to the west of Cape Horn."

Ordered to lie upon the table.

PETITION OF THE ROMAN CATHOLICS OF CORK.] Mr. *Hutchinson* said, that he held in his hand a Petition from the Catholic inhabitants of the county and city of Cork, praying, that all persons professing the Roman Catholic persuasion, might be relieved from the pressure of those disabilities and disqualifications under which they at present laboured: it was not his intention to go then at all into the discussion of a question, which was soon to be treated in a manner so much more suitable to its importance, but he begged the attention of the House, to the language and character of the Petition itself. It was every way

worthy of the great cause in behalf of which it was preferred; in bold and constitutional language; it called upon that House to make the British constitution stronger than it then was, by extending it to every British subject. It spoke a language worthy of men, who knew how to value the rights they applied for, such as freemen should at all times use, and a British parliament should at no period be unwilling to hear. He had also to state, that every signature to the Petition was the hand-writing of the person whose name it specified, comprehending almost all the Catholic respectability, weight, influence, and property of the county. He could also assure the House, that there had been no sort of interference made use of to swell the number of the signatures, every man was left to do as he pleased, a circumstance that must have created rather an awkward sort of contrast, to that feverish anxiety evinced in other quarters to procure signatures to a Petition of a very different tendency. He strongly deprecated every interposition of this sort as most unconstitutional, as an attempt to disguise from parliament the real sentiments of the Protestants of Ireland, upon the subject of the claims of their Catholic fellow-subjects. The Petition was then brought up and read; setting forth,

"That, contemplating the warning fate of surrounding nations, and the fearful disparity of our physical means in the vital conflict in which we are engaged, the Petitioners respectfully express, as they deeply feel, a serious and surely not irrational apprehension of the result, unless the legislature in its wisdom shall hasten to oppose an effectual counterpoise to the mighty power now wielded with such rancorous hostility for our destruction; and this great object, it appears to the Petitioners, can only be achieved, by calling into instantaneous action, and combining, in protection of these threatened realms, every vigorous and quickening impulse, all the elements of generous and moral feeling that can animate and exalt the human breast; and yet, amidst the crowding terrors of these days, in a war emphatically distinguished as a war of principle, when an enlightened policy would be anxious to communicate the equal benefits, in order to infuse the unconquered spirit of freedom, the Petitioners behold, with concern and dismay, a vast majority of the population of this land still degraded and discouraged; above four millions of a gallant and loyal people are summoned to

shed their blood in support of a constitution which unnerves the hand raised in its defence, by intercepting its fair reward, and checks the aspiration of their genius by the opposition of ungenerous barriers to its course; they are precluded from numerous offices of trust and honour, the objects and incentives of a noble emulation, though to many of these the more favoured alien is invited at home, and all are open, with the concurrence of the House, to the newly conquered Catholic subject abroad; the native Catholic alone, as if marked by the reprobating stamp of nature, is pronounced unworthy of making his services, in every station, acceptable to his sovereign, or useful to his country; and that these proscriptive statutes, the Petitioners lament to say, have transplanted from their natural soil the talents and fortunes of many an able statesman and valiant soldier; born to diffuse lustre on their own, and compelled to promote the glories of another land; the Petitioners claim, as their kindred, while they deplore to their country, the loss of many names of renown in foreign annals, and on the present great theatre of war, they trace, in some of the most distinguished actors, the blood and spirit of banished Irishmen; and that still a system, so injurious in its operation, generated in times and under circumstances of which the very shadow has passed away, is, they blush to add, attempted to be justified by imputations aspersive of their morality as Christians, and allegiance as subjects, their enemies, and the enemies of the edifice, would fain blot from the page of history, and from the recollection of the House; that to their Catholic ancestors, Britons are mainly indebted for the transcendent blessings of their constitution; they laid the firmest basis of the empire; and it surely is an ungenerous retribution to their memory to make the creed they professed a title of exclusion from the more perfect fabric; that religion, they are bound to infer, could inculcate nothing dangerous to society or prejudicial to the state, the sole and paramount sway of which was owned by those men who first defined the grand outlines of our civil rights, and the influence of which, at the present day, subjects the master passions of our nature, even interest and ambition, to the controul of conscience; by moral man alone is that sacred bar held inseparable and inviolate which the law has interposed between the Petitioners and the

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attainment of their wishes; and that here they hope they shall be indulged in adducing, as a crowning proof of the tenets and practice of their ancient faith, the sublime example of its spiritual head, the suffering and magnanimous Pius, who stands an illustrious monument of glory to his religion, and of shame to many Christian princes; on him humiliations have been heaped, and the cup of bitterness impotently exhausted; immovable in conscious rectitude, he alone has defied the vengeance of a ruthless power, and, as became the great minister of peace, refused to join a confederacy leagued for the overthrow of these kingdoms; his despoiler they may confidently maintain will meet little countenance or partiality from Catholic Ireland; and that the Petitioners will not stoop further to repel these calumnies, which even their propagators do not believe, but they refer with complacency, to the solemn recognition of their meritorious demeanor by their own parliament, when it first invited them to the threshold of the constitution, a measure wise and salutary at the time, but doubly grateful as a spontaneous emanation from the royal breast; the benign and parental source, they are proud to acknowledge, of numerous other gracious favours; and with equal pleasure do the Petitioners appeal to the honourable and decisive testimony of their Protestant fellow citizens, whose just discernment has long obliterated, in society, the partial demarcations of the law; with them the Petitioners are blended in all the sympathies of private life and communion of dearest interests; they would open wide, and hail as reason's triumph, their unqualified admission to the sanctuary of British freedom, for to them they have amply proved how deeply they have imbibed, and how prepared they are to vindicate its principles; they witnessed and they cheered their late assertion, constitutional they trust, and authorized of that radical provision of its guardian law, the right they at this moment exercise of addressing the House; and the Petitioners therefore feel warranted respectfully, but most earnestly, to impress on the wisdom of the House the policy of cherishing those elements of harmony and conciliation, which will unite in consentaneous impulse all the energies of the state, will elect for their rulers, in the bosoms of enfranchised Irishmen, a temple of everlasting gratitude, and impart vigour to the arm, and ardour to the heart, of every in-

dividual of this nation; the time and talent too they consume in complaint will be devoted, unfettered and undivided to the common cause; and that it is reserved, the Petitioners presume to hope, for the House, and it is worthy the character of enlightened statesmen, to redeem at length the great name of the British empire from the disparaging imputation of sacrificing an eternal principle of justice, and a commanding maxim of legislation, to a passing expediency and to fleeting events; and praying the House, in this crisis of unprecedented emergency, to hearken to the monitory voice of those great luminaries of their councils, whose discerning patriotism has identified their cause with the security of these realms, and who have exhorted the House, as they contemplate a successful resistance to our inveterate foe, to make a brave and gallant people happy in the possession, and invincible under the banners of the British constitution, by the repeal of those laws so manifestly hostile to its genuine spirit."

Ordered to lie upon the table.

PUBLIC DEFAULTERS.] Sir *J. Newport* rose, pursuant to notice, to move for an instruction to the Committee of Public Expenditure, to enquire into the balance due to the public in consequence of certain public defalcations. He admitted that, with respect to some of those defaulters, a great part, if not the whole of the money, had been recovered; but it was as certain, that with respect to many others, but a very small part had been recovered, and in some, that the whole had been irrecoverably lost. He thought that the public had a right to be put in possession of an accurate detail of what was lost, and what recovered, in each of those instances; they had, in short, a right to know the actual state of those accounts: it was but justice to the individuals, who had so far lessened the culpability of their conduct by paying up the whole of the deficiency, that the public should know that such individuals had made the best amends within their power; it was necessary too, that the public should know, what progress had been made, or was making, in the recovery of the sums due, and what was the amount of those sums which were concluded to be irrecoverably lost to the public. These were matters which he thought it became the duty of that House at any time to investigate, more especially in so advanced a period of the life of the present parlia-

ment. In the case of general Delancey, the balance due in March, 1806, amounted to 97,000*l.* though in the December of 1804, he had been called upon to make up his accounts. With respect to Mr. Steele, he was glad to learn, that the public were not likely to be a sufferer, but still it was desirable that the public should have authentic evidence of that circumstance. With respect to the case of Boyd, Benfield and Co. he understood that the claims upon the interest of the 100,000*l.* advanced to them were still in a course of legal proceeding. With respect to Mr. Hunt, the defalcation amounted to 93,000*l.* he thought it expedient that the public should know how much of that large sum had been as yet recovered, or was considered as irrecoverable. He wished also to know, whether that person's pension was still continued to him, or whether it had been finally withdrawn? The case of the Dutch commissioners, of Mr. Villiers of the Marine Pay Office, and of Mr. Charles Barnes, called for investigation, as to each of those particulars. Mr. Chinnery's defalcation, he understood, had exceeded 80,000*l.* and that legal advice having been taken by the bail of Mr. Chinnery, they were considered as exonerated, because there had not been due diligence used on the part of Mr. Chinnery's superiors in office, on the first suspicion upon their parts of the defalcation. The next case had not yet been before the House, it was taken from the 12th Report of the Board of Works of Ireland, and it appeared, that between the years 1796 and 1802, when the office of Treasurer to the Board of Trade was abolished, the sum of 1,835,000*l.* had gone into the hands of the Treasurer, and was to that day unaccounted for. The noble lord had been frequently called on to make out his accounts, but the answer uniformly was, that the accounts were in a state of preparation. This was one of the many cases that shewed the necessity of the motion with which he should now conclude. The right hon. baronet then moved, "That it be an instruction to the Committee appointed to examine and consider what regulations and checks have been established in order to controul the several branches of the public expenditure in Great Britain and Ireland, and how far the same have been effectual; and what further measures can be adopted for reducing any part of the said expenditure, or diminishing the amount of salaries and emoluments, without detriment to the public service;—That they do examine into the pre-

sent state of account of the several balances of money which have been reported on, or have since appeared to the said Committee to be due and owing to the public, or which have been stated in any report laid before this House by the commissioners of military or naval enquiry, or by the parliamentary commissioners of enquiry, or the commissioners of imprest accounts in Ireland, to be so due and owing; and that they do, with all convenient speed, lay before the House an abstract account thereof, and of their opinions thereupon, specifying particularly the amount of the several balances originally appearing due, the sums which have been received thereout, with the date of such receipts; whether any and which of the remaining balances may be considered as entirely irrecoverable, and also the progress of any measures taken towards such recovery, or the adjustment of such balances; and whether any and which of the persons, who have been deficient in their payments, continue to enjoy any place or office of trust or profit or pension under the crown."

The *Chancellor of the Exchequer* conceived, that the powers of the Committee were already sufficient for those purposes; if not, he had no objection to the present motion. It was another question whether the Committee ought to apply itself immediately to this object, so as to supersede all other business. As to the pension of Mr. Hunt, it, had been all along withdrawn effectually, though not formally till last year.

Mr. *Banks* said, that the Committee had the power, and if he had thought it expedient that the state of the balance should be known before the end of the session, he would, as chairman of that Committee, have undertaken the labour: as it was, he was ready to begin the business immediately, though, perhaps, it might be better not to embrace that mass of subjects to which their attention was now directed.

Mr. *Long* took that opportunity of explaining a circumstance which had occurred upon a former night, and which his absence had precluded him from then adverting to. An hon. baronet (sir F. Burdett) had stated, that though the principal had been paid back to the public by Mr. Steele, the interest was lost. He therefore begged leave to state, that not only the whole of the principal had been paid up, but also every shilling of the interest.

The *Chancellor of the Exchequer* suggested

the propriety of omitting that part of the motion instructing the Committee, and retaining merely that part of it that empowered them—thereby leaving the Committee to its own discretion.

Sir J. *Newport* repeated his reasons for wishing that, before the session closed, the public might be put in full possession of the most accurate details that could be made out respecting these defalcations.

The motion, as originally worded, was, then put and carried.

CORPORAL PUNISHMENTS IN THE ARMY.]

The Hon. Mr. *Bennet* rose to make the motion of which he had given notice respecting corporal punishments in the army. He began by observing, that he could not anticipate any serious objections to the motion which he was about to make. Returns were regularly laid before the House of the number of capital punishments inflicted, and he did not perceive that any greater inconvenience or danger was likely to result from publishing the number of punishments in the army. The punishments to which he now alluded were such as were not generally known; they were most debasing and degrading to the soldiers; and were attended with such cruelty and inhumanity that they were inflicted in secret, in holes and corners. [Hear, hear! from the ministerial benches.] He repeated it—in holes and corners; because it would not be possible to inflict so much torture and ignominy in open day, and in the face of the world, without the presence of an army to keep down the indignation of the people. The horrors of the middle passage had led to the destruction of the Slave Trade, and the horrors of the present system of military punishment, he hoped, would soon lead to its abolition. It was a mode of punishment objectionable in the first place because its infliction was arbitrary: in the second, because it varied with the varying powers and feelings of the sufferer; and in the third, because it had been proved to be utterly inefficacious as an example. Its abolition would greatly conduce to the good of the service by rendering recruiting more easy, and would be of advantage to the discipline of the army by freeing soldiers from that disgrace and debasement they were at present subject to. He concluded, therefore, with moving, "That there be laid before the House a return of the number of Corporal Punishments inflicted in the army, in the militia,

and in the local militia during the last 7 years, up to January, 1812, specifying the offences, where committed, and the number of lashes inflicted respectively."

Mr. *C. Adams* spoke against the motion.

Mr. *Manners Sutton* conceived, that if it was the object of the hon. mover to revive the debate on the question of corporal punishment, this object might be attained without acceding to the present motion. If the returns were desired merely for the purpose of examining whether there were any cases of abuse, he thought it hardly a fair proceeding; and that the only ground which could induce the House to consent to the motion was the previous production of such cases. It certainly would not be difficult to procure the returns, because under the excellent system of management introduced and adopted by the commander in chief, the most minute records were preserved. The present illustrious commander in chief had laboured incessantly to bring the discipline of the army to the highest possible state of perfection, and as speedily and generally as possible to do away corporal punishment; but such an alteration could be effected only by degrees. There was much variety of opinion on the subject, even in the army; and he believed if that whole body was consulted, whether corporal punishment should be altogether abolished, there would be as much difference on the subject among the men in the ranks, as among the officers who commanded them. No slur ought to be thrown on the administration of the army, without just cause. As to the effects of the punishment on the discipline of the army, what better answer could be given than to appeal to the character of that army, and the mutual attachment that prevailed between the officer and the soldier. His great objection to the revival of this discussion was, that it tended to unsettle the military mind, to lead the army to believe that there must be grievances, though to them unknown, which caused the subject to be so often agitated. He could not see how the abstract question could be elucidated or assisted by the production of these returns; and as he believed that no practical advantage could result from it, while its natural effect must be to impute remissness to the commander in chief, whose indefatigable attention to the welfare, interests and even comfort of the soldier was denied by none, he felt himself compelled to withhold his assent from the motion.

Mr. *Abercromby* said, he thought nothing could be farther from a slur on the army than the present motion. On the contrary, if such an account were annually laid on the table, it would, according to the hon. and learned gentleman's account of the attention of the commander in chief to the army, redound more to his honour than any thing that could be done by concealment. Nothing also would be so likely to give a new tone of feeling to officers in general, as the consciousness that the legislature would review their proceedings. He should, therefore, vote for the motion.

Mr. *W. Smith* expressed himself to be of the same opinion. The refusal to grant the paper moved for, shewed that some abuses did exist; he thought, therefore, it ought to be produced; and in voting for that production, he disclaimed any intention of censuring the commander in chief, or the military system of which he was at the head.

Sir *F. Burdett* declared, that when the right hon. and learned gentleman announced his intention to oppose the motion, he had expected to hear rather more cogent reasons for his so doing. He had talked indeed of the necessity of producing some grave case as a foundation for this motion, but he seemed to forget that many such cases had been already brought before the consideration of the House. He had himself on a former occasion stated the instance of several men who had died at Gibraltar in consequence of flogging, as declared by the surgeon in the first instance, although he was afterwards induced to alter the return to "died of fever," and he had also stated, that several officers who had refused to join in that barbarous proceeding, had been dismissed the service, although on their return to this country they were re-instated on the representations of a distinguished officer (lord Hutchinson) to the Commander in Chief. He had recently seen in the public prints, many statements of suicide committed, in order to avoid this dreadful punishment, and that those men who had attempted suicide ineffectually, had actually received additional punishment for the attempt. To these statements he was inclined to give credit, because they could not be made, if false, without danger to the publishers. As to the compliments so often paid to the officers of the army, he believed, and he was not inclined to flatter any man, particu-

larly in that House, that like the rest of their countrymen, they were not deficient in humanity, but it was the frequency of these spectacles of horror and suffering that necessarily familiarised them to such scenes, and gradually extinguished all the livelier sympathies of their nature.—He had once mentioned to the House the case of a man of 70, who was condemned for some trivial offence to be flogged. He pleaded that he had been 50 years in the service, he pleaded too the excellence of his general character, and that it was not the pain but the shame, and the shame only, that alarmed him. In spite of every remonstrance however—notwithstanding his age and his long and meritorious service—he was flogged. In *the Isle of Wight*, no long time ago, a boy of 16 was sentenced to the same punishment, and he pleaded his youth in mitigation. But neither the feebleness of age, nor the indiscretion of tender years availed against the supposed necessity of making military examples by the application of the disgraceful lash; for example surely was the only object, as it could not be said to be improvement. To him it appeared astonishing that men having the forms and feelings of their species could hear with indifference and coolness, the recital of such atrocious cruelties. The situation of the English soldier was at this moment scandalously unprotected; no coroner's inquest sat upon his remains, he was confined where no friend could approach him, to whom he might relate his tale of woe, or from whom he might receive the consolation of a sympathising concern. He had lately heard of the case of a man named *Tork*, who being ordered to be flogged, his wife set out from *Yorkshire* to visit him, and on her arrival at the quarters of the regiment, she met his body carried by his comrades to the grave, he having died in consequence of the severity of his punishment.—Was the House then to be told that there existed no grounds for instituting any enquiry? The right hon. and learned gentleman seemed to think, that it was a kind of indecorous proceeding for the House of Commons to interfere at all with what might be said to fall under the exercise of the royal prerogative. This was a doctrine about the unconstitutionality of which it was not necessary to say any thing; but he would ask whether the crown could carry into effect any one of the articles of war, or keep alive the army or its discipline without

the previous consent and sanction of that House? What then was it but a most flimsy pretence, a weak and miserable subterfuge, to talk of the slur or the implied censure which the motion conveyed with respect to those who had entrusted to them the management of the army? The right hon. and learned gentleman had bestowed abundant panegyric on the conduct of the Commander in Chief, and supposing it all to be perfectly applicable and well merited, it was at the same time altogether beside the present question. He had no doubt that the Commander in Chief, as well as other military men, were possessed of humane sentiments, but habit in time got the better of those tender feelings; and if it did not entirely eradicate them, imperceptibly blunted and subdued them.—The right hon. gentleman talked of no case having been made out, but he would assert on the contrary, that there was a profusion of evidence which he himself was prepared to produce, in proof of all he had stated, and all of which concurred to establish one conclusion, that the punishment was inhuman, had been often inhumanly exercised, and was at once repugnant to the dictates of reason, justice, and humanity. The right hon. and learned gentleman, however, treated all this with levity, and betrayed an indifference of manner, and coldness of feeling—that seemed to him utterly inconsistent with a due sense or correct comprehension of the infernal nature of the infliction. He seemed to treat the subject as a boy might be expected to treat the whipping of a puppy dog. He himself looked at it in another light, and in its real colours. He saw it unite a degree of torture, with a still greater degree of ignominy and shame, which it was scarcely possible to imagine that human beings could have devised, except from the motive of imitating the supposed torments of the damned. Was it remembered that the instrument of torture was the cat-of-nine-tails, that when the wretched victim was fixed to the halberts in order to have the flesh torn from his bones, each separate lash inflicted nine stripes, every one of which was capable of drawing blood from the body! But in his opinion, horrible as the punishment was in point of the bodily torture which it created, its effects upon the moral feelings of shame and honourable pride, were still more grievous and deplorable. It was the disgrace which never could be obliterated, that in his

mind formed the most important part of the evil. And for what offences was this torment, was this irrecoverable degradation frequently inflicted? He had heard of one case, in which a man was sentenced to be flogged for having married. Thus arbitrary was the power of these military tribunals, thus capricious was its exercise. But the right hon. and learned gentleman was positive that no abuses had taken place. Why then refuse the returns, if it were only to establish a fact so pleasing to the country and to the army, and so truly honourable to those on whom the right hon. gentleman had bestowed his eulogium? His belief however was, that there had been great abuse, that there were still great abuses, and that great abuses would continue, so long as such a system of punishment was endured. It was a system unworthy of the English nation and of the English soldier, and a system which he believed would not be allowed to prevail in any other country. The right hon. and learned gentleman had admitted, that the production of the return could do no harm, would be productive of no inconvenience, and his only objection was the very courtly and unparliamentary pretence, that it might not be agreeable to the feelings of those who happened to be high in rank and office. As to the opinion that this mode of military punishment had no injurious effects on the recruiting service, he would ask gentlemen to knock at their own hearts, and imagine themselves in the situation of spectators of this dreadful spectacle, and then to say, would this or would it not damp their inclinations to enter upon a course of life in which they would be exposed to the liability of suffering the same infliction. He knew well, for he had been frequently applied to without however possessing the means of affording relief, by persons who had deserted merely from the terror of this punishment, and who felt the most ardent desire of returning to their ranks, if they could have been secure from this dreadful evil. He believed that the soldiers could not be left longer in such a state; and he thought that the people of the country had been too indifferent hitherto on this subject; and now, with shame he must confess it, that it was with some justice that the punishment about which the country was so indifferent when confined to the regular army, had fallen upon the whole nation in all the classes in which they were liable to be called on for military

service. A noble lord had said upon a former debate, that he thought it almost impossible that a man could die of receiving 240 lashes. He, however, remembered to have read a speech of Baron Maseres, attorney-general of Canada, on the trial of some officers who had sentenced a soldier of the name of M'Donald to receive 200 lashes, who after receiving 170 of them, was carried to the hospital, where after lingering for four days he died. In that speech the attorney-general for Canada stated, "that when a man had been guilty in France of the murder of one of its sovereigns, (Ravallac for the murder of Henry the fourth) the Council deliberated on a punishment adequate to the enormity of the crime. They even encouraged propositions to be made to them for that purpose; and among others, a butcher proposed to flay the man alive, and keep him in that state three days before he should die. This proposal appeared to the council too barbarous even for so heinous a crime, and they contented themselves with breaking the regicide on the wheel, and keeping him two days on the rack. Now the officers of this regiment had, for an offence comparatively trivial, inflicted a more cruel death than the council of France could bear to hear of, even for the murder of a sovereign, and more barbarous than even the butcher could propose; for he had only thought of keeping a man three days in torture, while those officers had flayed the man, and kept him four days in agony before he died."

Such had been the feelings of a crown lawyer formerly, on such a punishment; but now crown lawyers and other lawyers and members of parliament could speak of it with levity, and two hundred lashes, as it seemed, were thought nothing at all of in the present state of our army. It was known, however, that deaths had since taken place in consequence of such punishment, and that many suicides had occurred from the apprehension of them. There was also published in a provincial paper an instance of a serjeant in a veteran battalion, of the name of Gill, who cut his own throat merely to avoid the pain of being obliged to witness a number of those punishments. He recollected to have read some time ago in the public papers, an article under the title "Resolute Insensibility," where it was stated that a young man, in order to obtain his discharge from the militia, pretended to

be seized with a total insensibility in all his parts, and so resolutely persisted in it, that after pins had been run under his nails, and every torture ingenuity could devise had been exhausted, a surgeon was called in, who, supposing that he had met with a hurt in the head, recommended that he should be trepanned, which operation was accordingly performed upon him, and it was not till they were scraping his brain, that a low groan at length burst from him. He obtained his discharge, soon rapidly recovered, and on the rumour of a press-gang being in the neighbourhood, disappeared. The name of the regiment, and of the surgeon, had been stated, and the officers of that regiment or the surgeon would have undoubtedly contradicted this statement if it could be contradicted. And would it after this be maintained, that men were not struck with dismay, at the very idea of being driven into a service, where this punishment of flogging was part of the system? Would it be alleged that they not only would not wish to see it changed; but, as was alleged on the other side, that it even formed a bond of union between the officer and soldier? If this was so, he knew nothing to which he could compare that sort of affection on the part of the soldiers, except to the idea of Juvenal in one of his satires, where it is said, that the fish was anxious that it might be taken, in order that it might form part of the emperor's dinner. In the year 1808 there were found to be nearly eight thousand blind men in the army, applying for their discharge on that account, but as it was suspected that the greater part of those men had caused their own blindness to procure their discharge, there was an order issued to deprive those discharged for this cause, of the benefits of the pensions they would otherwise have had. When it was considered what dreadful sufferings men had thus borne or inflicted upon themselves to get their discharge, it was hard to believe that the situation of a soldier was quite so comfortable as had been represented. Young officers were obliged to attend these dreadful punishments in order to inure them to it; and private soldiers, who, perhaps, would have had fortitude enough to have undergone them, had often fainted in the ranks at being obliged to witness them. He was convinced that if such a practice took place, in the face of day, and the public, it must be soon laid aside, and that it

could be continued only in holes and corners. He would not disguise his feelings on the barbarous and ignominious punishment which hung over the backs of the army, and now, indeed, of the nation also: nor could he at present join in the encomium passed on the Commander in Chief, being totally ignorant on the subject. If the papers called for were once before the House, and warranted that encomium, he should feel pleasure in joining in it; but he could not, without every information which could be required being before the House, join in covering the foulness of the cat-o'-nine-tails. As to petitions for reforms, or for the redress of grievances, what were they in comparison of this measure? If England was to be flogged, it was a species of infamy which no other people, he believed, had ever been condemned to, or would have endured. When he saw attempts thus made to baffle all enquiry into the actual state of things, and to throw dust into the eyes of the House, he could not sit still and see such despicable chains fastened on the people. The great benefit to be derived from the present motion in his mind was, that it had in view the total abolition of this punishment, which he trusted would be speedily effected. Gentlemen on the other side wished to be esteemed religious; if they believed the Bible to be the word of God, they must agree that this was a punishment forbidden by it. Forty stripes lacking one, were as many as were allowed by that which they themselves called the law of God. It was a punishment against the policy of the military law itself. It was known in the military code of no other country; and what was there in the nature of the English, that it should be palatable to them alone? Was it to be endured, that the image of God in man should thus be disgraced?

Mr. Lockhart observed, that this punishment was not peculiar to this country, as the hon. baronet appeared to imagine; but that among the Romans, the most high-minded and military nation of ancient times, corporal punishments were allowed. The dictators and consuls were attended by lictors, and the order was often given "*I, lictor, perge, cadue.*" In the French army, formerly, there was the punishment of running the gauntlet, and there still was imprisonment in a dungeon, working at fortifications in irons, serving on board the galleys in irons, and, above all, death, which was inflicted at

least 100 times for once that it was in the English army. He had conversed with many French officers, prisoners in this country; who had assured him, that nothing could be more precarious than the condition of the French soldier, or more dependent upon the particular character or caprice of the officers. As to the number of stripes given, he certainly agreed with the hon. baronet, that such a number should never be given as would endanger life; and, indeed, he believed that our code was too loose upon this subject. He thought that it might, perhaps, be useful to have our military code revised; and he hoped it would be found possible, in ordinary cases, to fix the proportion of the punishment to each offence. He did not think any danger of oppression and cruelty was to be apprehended in the militia or local militia, as in both those services the officers were gentlemen accustomed to serve on juries, and acquainted with the spirit of our constitution. As to the English being a flogged nation, as the hon. baronet expressed it, that was a mistake. Punishment was not made for the English nation, but for the guilty, or those who deserved it. Ignominy depended on public opinion—it was not punishment but crime which conferred ignominy.

Mr. C. W. Wynn would vote for this motion, although he was not prepared to agree to the total abolition of corporal punishment. He thought that the frequency of it, however, might and ought to be much diminished; and that, except in extraordinary cases, such as the suppression of a mutiny, corporal punishment ought never to be inflicted without previously consulting the commanding officer of the district. He believed that cruel punishments frequently proceeded from the mistaken notions of very young officers, who considered that nothing was more for the good of the army than great strictness and severity.

Mr. Wilberforce said, that he felt it impossible to avoid being carried away, in some measure, by the powerful effect of the statement of the hon. baronet, and by the warm feelings which he had displayed so honourably, and so forcibly. At the same time, when he considered what an army was, and how sharp and powerful an instrument it had proved against the enemies of the country, he thought there should be great caution used before any very important alteration was made in our military system. He was aware that ge-

nerals of great reputation had expressly declared their disapprobation of corporal punishment, but at the same time he thought that it could not be done away all of a sudden, and especially in such times as these. It was very satisfactory, however, to know, that those punishments were now much less frequent than they were formerly; and he thought it might be a great improvement to refer those cases (whenever they could be referred) to the judgment of general courts-martial, rather than to the judgment of a few officers, and perhaps some of them young and ignorant of what was really most conducive to the good of the army. As to the difficulty of procuring discharges, that had formerly been a great hardship, but considerable improvements had already taken place in the regulations on that subject, and other improvements might be expected. He must own he felt a dread of the army looking up either to the House of Commons, or to any individual member of it, for redress of their complaints. He should be glad to get the information required, but not in the way proposed. If the government had such accounts regularly filed at some public office, he believed the effect would be produced of diminishing those punishments.

Sir Samuel Romilly begged to call back the attention of the House to the question really before them. This was not a motion for the abolition of corporal punishments, but for the production of certain papers regarding military punishments. In resisting the production of the paper now called for, gentlemen on the other side did more mischief to the cause they wished to support than any return, however great as to the number and extent of punishments it contained, which the ingenuity of man could conceive, could by possibility effect. Must not it go out to the world that they opposed the production of the paper in question, because the number of punishments which it contained must fill all who perused it with astonishment and horror? And was not this idea calculated to irritate? If the account would shew a diminution of punishment, why should they run the risk of those misrepresentations or exaggerated reports which their refusing the information would naturally produce? It was not the hon. baronet therefore who was to blame in making to the House a statement calculated to produce alarm. It was the right hon. gentleman opposite, who told the House, that to

produce the paper called for must lead to the abolition of corporal punishment. If this was really to be the result, must it not be supposed to proceed from this, that the return would be found to be so enormous, that this must be expected as the necessary consequence? The hon. and learned gentleman (Mr. Lockhart) said, he should wish to revise the military code. But would he wish to do so without knowing what it was, and without information whether it required revision or not? The return now sought for ought to be made, if gentlemen opposite were correct, in order to remove false impressions. Did any man say, that false statements, on such a subject, ought to be suffered to go out, while they were capable, by a fair view of the subject, of satisfactory explanation? Was there ever an assembly of human beings so infatuated as to suffer such a statement to go forth; preferring to cover facts in the veil of darkness, rather than to allow them to meet the light; particularly when the production demanded was calculated to remove unpleasant impressions or surmises? He could not forbear expressing his astonishment at his hon. friend behind him (Mr. Wilberforce), who agreeing in the desire to remove the evil complained of, still refused to be informed on the subject. He hoped his hon. friend would see the propriety of altering his opinion. As to his fear of the army looking to that House; nothing, he thought, could be more natural than that they should look to parliament. Did not parliament legislate for them? Did not parliament annually pass their Mutiny Act? And was it not proper that parliament, and also the tribunals which sat to give effect to the legislative provisions enacted by parliament, should be informed of the consequences, beneficial or otherwise, produced by the regulations of the one, and adopted for the government of the other?

One of the greatest objections to the present system of military punishment was, that there was no limit to the punishment courts-martial might inflict, but the mercy of the members. They might order the infliction of 5, or 5,000 lashes, without control, and it was most important, that they should in future know, what it was they did, and what they ought to do. He would be glad to be informed, what mischief was to be dreaded? Was it discussion? The other side of the House, by their resistance to this motion, provoked it, and, according to their own statement, the dis-

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cussion of this subject had produced the most important benefits, since within these few years, in consequence of it, corporal punishment had been greatly lessened. An hon. gentleman had said, that in the militia nothing was to be feared, because the officers were frequently magistrates, or had served upon the grand juries. How true this assertion was, might be gathered from the writings of military men, best acquainted with the subject, among whom was sir Robert Wilson, who had stated expressly, that corporal punishment was more frequent in the militia, than in any other department of the service, and had supported his observation, by making it appear, that if as many men were continued to be so punished annually, as had hitherto suffered, for only six years, the whole 70,000 men would have undergone the inhuman sentence. With respect to the nature of the punishment, it was almost needless to quote the well known authority of judge Blackstone, who had declared that by the constitution of England simple death, unattended with any circumstances of torture, was the severest punishment that the law allowed; the rack and the knout were unknown, and it remained for us by a refinement of cruelty to drive a man to the very verge of existence, a surgeon standing by to feel the pulse of the sufferer, and to pronounce when nature could bear no additional infliction, and when his soul was about to forsake his tortured body, to leap into eternity, he was taken down from the halberts, removed to an hospital, and every means taken to call back life only to be again tortured. Here the poor wretch was left, his body more at ease, but his mind still upon the rack, reflecting, that the faster his wounds healed, the nearer he was to the infliction of the remainder of his sentence; and that his wounds were only healed by his tormentors that they might again be torn open. It was mere hypocrisy to say, that the minds of the soldiers would be inflamed by what passed in parliament; they perhaps would never hear it; and would those be affected by statements in a deliberative assembly who were compelled to witness unmoved the sufferings of their fellow-creatures? The substitution of death would be comparatively merciful, for individuals had been known to fly into his arms to be shielded from the lash. It should likewise be remembered, that the persons who were thus degraded and tormented, were not voluntary victims; they were first compelled

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to enter the army, and afterwards to endure its punishments; boys, who in law had no power of disposing of their property, were, in the army, permitted to sell their lives and liberties for a few guineas, spent in licentious debauchery. Under all these circumstances he was of opinion, that the account moved for ought instantly to be laid upon the table.

The *Chancellor of the Exchequer* would impute only the purest motives to the supporters of the motion; but the effect of their arguments he was convinced would be productive of mischiefs of the greatest magnitude. Thinking as he did that the continuance of corporal infliction was a necessary evil, he was of opinion that he could not have done any thing more detrimental to the service, than if he had employed such language as had been used on the other side. He did not dread so much the dissemination of the truth, as he did the exaggerated misrepresentations that had been employed, and bringing forward into notice solitary instances of severity or suffering for which no parallel could be discovered. He admitted that there had formerly been cases where the punishment was partially inflicted at one time and completed at another, but the modern practice had been directly the reverse. It would have been well, therefore, had his hon. and learned friend, before he drew such a picture of the repetition of the punishment of flogging for the same offence, enquired whether such a practice was continued. The question of its legality had been submitted to his right hon. friend, the present Judge Advocate, and he had pronounced it not lawful. Why then was such a representation made, when no grounds for it any longer existed? It was likewise true that in some regiments corporal punishment was more frequent than in others; but the obvious reason was, because it was more deserved. Would the production of the document required throw the faintest light upon any of the cases which the hon. baronet had selected from the newspapers; to which authority, however, he declared that he gave little credit? Would it afford any information upon the instance of singular insensibility which he had adduced with so much ostentation, and which (though taken from a newspaper) the hon. baronet implicitly believed? For his part, he was not quite so credulous, for he discredited the story altogether. The statement that was published bore upon the face of

it marks of fabrication; it was said, that the man had pins thrust under his nails, and endured the most exquisite tortures that could be invented, unmoved, until at last he was trepanned, and the brain being scraped, he simply exclaimed, "Oh!" This might be true, as well as the addition to it—that the man being discharged, instantly recovered; but on hearing that a press-gang was in the neighbourhood, made his escape, and never was heard of afterwards.—He confessed, he thought that he never had been heard of before. This story shewed the distress to which the hon. baronet was reduced, and the state of mind in which he came to the discussion of the subject, when he who professed in general very little respect for newspaper authority, could still for his own purposes think every word of this improbable narration strictly true.—(Sir F. Burdett said, across the House, that the man belonged to the 1st Somersetshire militia, and that the surgeon who trepanned him was a Mr. Welsh of Taunton.)—No doubt, then, since the hon. baronet was so well acquainted with the names and addresses, he had taken pains to write to Mr. Welsh, of Taunton; but until better authority was quoted, he should think it a complete fabrication, since those who would naturally have received information about it knew nothing of a circumstance so extraordinary. The case of suicide introduced had no better foundation, it had been enquired into, and the newspaper in which it was inserted was now the subject of prosecution. Besides, upon these matters the document required would afford no intelligence, although it was preposterously held out to be one, the contents of which would throw the country into a state of revolt.—One of the great objections to laying this account upon the table was, that it would point out particular regiments in which more flogging was inflicted, (although deservedly) than in others, and would hold up the officers commanding such regiments to the odium of the army, and of the whole country, from which not the slightest benefit could be derived, since the necessary punishments must be continued. The number of corporal punishments would appear, but the grounds and merits of each case would remain out of sight. If officers were thus to be put upon their trial, it would be far better to make any law that might be deemed advisable prospective.—Another reason for refusing it was, that it would only produce

future debate, since the avowed object was to bring the general question under the notice of the House. In his opinion, nothing but the most trying necessity could justify the discussion of military affairs by the legislature, and yet the present was the third or fourth time that gentlemen had volunteered to introduce the subject during the present session. To this it was answered, that resistance to the motion provoked discussion. How could it be avoided? For gentlemen finding that because they should not have the document required to debate upon on a future day, had taken this opportunity of declaiming, not on the point before the House, but upon the general question of the propriety of flogging in the army. An hon. and learned gentleman (sir S. Romilly) had set out with recalling the attention of members to the true matter at issue, but led away by the warmth of his feelings, and by the wide scope the subject gave to his eloquence, had wandered from the line he had in the beginning chalked out, and had entertained the House with highly-wrought pictures of miseries attending corporal punishment. If, therefore, the return were made, the consequence would be to ensure two debates, instead of getting rid of the subject in one. The hon. baronet had repeated now what he had before stated, that because we had a local militia, Great Britain was a flogged nation. It might as truly be said that we were a hanged nation, because all were subject to the criminal laws; and doubtless the hon. baronet (as well as others) could point out many individuals who, on this account, would wish this punishment also to be abolished; it might be urged too with much greater truth, that many persons had hanged themselves, rather than undergo the same ceremony by the hands of a public executioner. He concluded by expressing his determination to give his decided negative to the motion.

Sir S. Romilly, in explanation, pointed out several misrepresentations in the speech of the right hon. the Chancellor of the Exchequer, which misrepresentations he was astonished to find cheered by the hon. gentleman opposite.

Mr. Brougham supported the motion.—He was astonished at the line of argument adopted by the Chancellor of the Exchequer and the hon. member for Yorkshire. The House were told, that if the motives of those who supported the present motion,

were not such, as to excite a spirit of mutiny among the soldiery, the motion itself was replete with every danger. It was impossible to allude to the punishments of the army; the bare mention of flogging was it seemed the watchword to discontent; and those who were disposed to avert this danger would oppose every motion which in any way interfered with the management of the army. Where was the consistency of the hon. member for Yorkshire? In the same breath he had declared himself unwilling to interfere at all with the army, and pronounced an eulogium on the late Mr. Windham, whose plans began and ended in the amelioration of the army. He had pointed out freely the abuses of all kinds which existed in his time—the enlistment of individuals intoxicated or under age into a state of service or slavery for life. But no such motives were ever imputed to Mr. Windham. It was reserved to the present question to hear arguments of such a nature brought forward. Why, there was not a single session in which parliament did not interfere with the army, and in which they did not discuss questions which had a tendency to agitate the passions of those of which it was composed even more nearly perhaps than the present. To whom were the army to look up but to parliament? Who paid them? Every thing, however, belonging to the army was not a proper subject for parliamentary discussion. They could not with propriety venture to sit in judgment on the shape of a button, or on the cut of a whisker or of a coat, because this being a more weighty business, required abler heads than could be supposed to be found in parliament; but the rewards which the army ought to receive and the period at which they should be discharged; the commissariat, also, that most delicate subject, were matters that came with propriety before them. The retreat to Corunna, and the expedition to Walcheren, where thousands and tens of thousands of our countrymen perished, were subjects upon which the House had deliberated; but never, till this day, did those who wished to scare them from enquiry, resort to such arguments as those of that night. Not even the planner of the Walcheren expedition, nor his coadjutor, who caused the question to be discussed with shut doors, ventured to hold such a language to the House. If such a ground for the refusing of papers was listened to, then there would be an end of

nine subjects out of ten, which were discussed in the House of Commons. In a time of scarcity, no man would dare to speak of grain, for fear of a tumult. The hon. member for Yorkshire would not have carried his question of the abolition of the Slave Trade. No man would have dared to describe freely and eloquently, as that hon. member had described, the miseries of the West Indian slaves, though the tortures which they suffered, he was sorry to say, were not greater than those suffered by our soldiers. Then the dangers of enquiry might have been urged with greater plausibility, when a few scattered whites were exposed to all the evils of a negro insurrection. The question was, whether a document which would shew whether the powers entrusted to courts martial had been temperately or immoderately used was to be produced. The right hon. gentleman said, "Don't enquire; I tell you all is well." But were they, he would ask, afraid to look into the facts of the case? Were they to close their eyes to it? And were those out of doors who ventured to enter upon it, not to be met by argument but by persecution? Would any one who witnessed the irritability which the mention of this subject always excited, not be almost led to the conclusion that all was not so well as it should be? Now, what would be the consequence of the production of this paper? It would either prove the statement of the right hon. gentleman opposite, which was so favourable to the Commander in Chief, or it would disprove it. The right hon. gentleman's eulogy of the reduction of flogging was quite unintelligible. He first denied the abuse, and then he said,—"for God's sake do not ask for the paper, as it will be productive of the most dangerous consequences." Was not this conduct much more dangerous than openly and manfully at once to enter upon the discussion of the question? So far it would appear from severity of punishment being done away, there were instances of persons suffering four several times before they could receive the whole of their punishment, and that very lately. He had a letter dated the 10th of February, 1812, from one of our North American settlements, in which a complaint was made of a Major-General, a German officer there, who very properly, as the law stood, had caused 700 lashes to be inflicted on a man. This was not a solitary instance, for it was stated to be the

usual complement of garrison punishment. How could this punishment be inflicted all at once? Other complaints were made of dividing 500 lashes in such a way, as that 250 lashes should be given on the lower part of the back, and 250 on another part of the body. No man could deserve such a punishment. A trifling violation of duty undoubtedly merited some punishment, but not flogging; and in cases of mutiny, or personal violence offered to an officer—if the officer were knocked down and trodden upon, which happened in the case alluded to by him, then a severer punishment than flogging ought to be adopted. But this severe punishment degraded man to a brute, and harrowed up and cauterized the feelings of all who witnessed it. Could any thing be more abominable, than to set apart a class of our fellow-citizens, and demand from them a callousness and insensibility which we would not allow in any other class in the British dominions. While we cherished all the kindly affections in every other branch of the community, and doomed a particular class to such a rigorous and unfeeling system, had we not reason to apprehend the effects either in after times, or in times nearer our own? If the soldier ought to be set apart as little as possible from the citizen, how could they justify a punishment which was confined exclusively to the soldiers, a punishment which debased those who suffered, those who inflicted it, and those by whom it was witnessed. It was his firm conviction, that if our soldiery had not been trained and accustomed to the system of flogging, they never would have been seen to lend themselves as they did in a certain reign of terror in a neighbouring kingdom, which he hoped yet to see investigated. Adverting to the navy, he said, that he had in his possession a book of punishments in one ship in 1809, kept by the master of arms; and in six months there were upwards of 14,000 lashes inflicted! This was enormous, when the proportion as to severity of flogging in the navy was considered. In one part of the book, a person was entered as having leaped overboard, and been drowned, to avoid three or four dozen of lashes.

Mr. *Robinson* could conceive nothing a greater insult to the service, than such allusions to flogging in the navy as had been just made by the hon. and learned gentleman, without giving the House the means of ascertaining their truth, by a statement

cal, beg leave to approach the House, in perfect confidence of its fixed determination to maintain unimpaired the Protestant constitution in Church and State; and that, reposing in full security on this confidence, the common council have not for some time past appeared as Petitioners before the House, notwithstanding the repeated demands of the Roman Catholics, but now, when it is publicly asserted that the Protestants of Ireland are favourable to such demands, and when every power of artifice and intimidation is employed to give colour to such assertion, the Petitioners should feel that they shrunk from their duty if they did not now declare, that in their opinion the concessions already made to the Roman Catholics are such as, if exercised with gratitude to the state, and for the tranquillity of the country, would be most amply sufficient to make the situation of the Roman Catholics happy under the present Protestant establishment; and praying the House to persevere in maintaining the constitution unimpaired in Church and State."

Ordered to lie upon the table.

Sir *John Newport*.—I much regret, Sir, that I did not enter the House a few minutes earlier, whilst the Petition just read was under cognizance of the House, that I might have enabled this House, by a statement of circumstances which occurred in that very assembly of the corporation of Dublin which framed that Petition, duly to estimate its value, and that of the meeting whose sentiments it conveys. It was there proposed to grant the freedom of the city of Dublin to major O'Donoghoe, in consideration of the signal valour and ability which that gallant officer had displayed in the defence of Tariffa, against an infinitely superior French force. His eminent services in that defence were proved by his being entrusted with the dispatches, which bore testimony to his distinguished gallantry. The majority of that corporate assembly gave a decided negative to the freedom, which was expressly refused to major O'Donoghoe because he was a Roman Catholic!!! How striking is the display of loyal attachment to the constitution, in thus withholding from the brave defenders of their country their well-earned rewards!

PETITION OF THE ROMAN CATHOLICS OF QUEEN'S COUNTY.] Mr. *Parnell* presented a Petition from the Roman Catholics of (VOL. XXII.)

the Queen's County, in Ireland, setting forth,

"That the Petitioners beg leave respectfully, at this most important conjuncture, to solicit the favourable attention of the House to the peculiar condition of the Roman Catholics of Ireland, under the severe penal laws now in force against them; and that, if they appear to the House to persevere with more than common earnestness in their humble solicitations for the abrogation of those laws, and for a free admission to the blessings and benefits of the civil constitution of their country, the Petitioners trust that their perseverance will be viewed rather as a proof of their just title to the liberty which they seek, and of their sincerity in its pursuit, than as the result of any sentiment hostile to the peace or true interests of this empire; and that the Petitioners should sincerely dread lest their silence might be construed by a faithful but feeling people as an indication of despair, and they would not lightly abandon the pursuit of a laudable and most important object, strengthened as they are by the concurring support of their generous and enlightened fellow countrymen, as well as by the fullest approbation of their own conscientious feelings; they beg leave humbly to state to the House, that they have publicly and solemnly taken every oath of fidelity and allegiance which the jealous caution of the legislature has, from time to time, imposed as tests of their political and moral principles; and, although, they are still set apart (how wounding to every sentiment of honour!) as if unworthy of credit in these their sworn declarations, they can appeal confidently to the sacrifices which they and their forefathers have long made, and which they still make (rather than violate conscience by taking oaths of a spiritual import contrary to their belief), as decisive proofs of their profound reverence for the sacred obligation of an oath; and that, by those awful tests, they have bound themselves, in the presence of the all-seeing Deity, whom all classes of Christians adore, to be faithful and bear true allegiance to their most gracious sovereign lord king George the 3rd, and him to defend, to the utmost of their power, against all conspiracies and attempts whatsoever against his person, crown, or dignity; to use their utmost endeavours to disclose and make known to his Majesty and his heirs, all treasons and traitorous conspiracies which may be (2 D)

formed against him or them, and faithfully to maintain, support, and defend, to the utmost of their power, the succession to the crown in his Majesty's family against all persons whomsoever; and that, by those oaths, they have renounced and abjured obedience and allegiance unto any other person claiming or pretending a right to the crown of this realm; that they have rejected, as unchristian and impious to believe, the detestable doctrine, that it is lawful in any ways to injure any person or persons whomsoever, under pretence of their being heretics, and also that unchristian and impious principle, that no faith is to be kept with heretics, that it is no article of their faith; and they renounce, reject, and abjure the opinion, that princes, excommunicated by the Pope and council, or by any authority whatsoever, may be deposed or murdered by their subjects or by any person whatsoever; that they do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, within this realm; that they firmly believe, that no act, in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour that it was done for the good of the Church, or in obedience to any ecclesiastical power whatsoever; and that it is not an Article of the Catholic Faith, neither are they thereby required to believe or profess, that the Pope is infallible, or that they are bound to any order, in its own nature immoral, though the Pope or any ecclesiastical power should issue or direct such order, but that, on the contrary, they hold that it would be sinful in them to pay any respect or obedience thereto; and that they do not believe that any sin whatsoever, committed by them, can be forgiven at the mere will of any Pope, or of any Priest, or of any person or persons whatsoever, but that any person who receives absolution, without a sincere sorrow for such sin, and a firm and sincere resolution to avoid future guilt, and to atone to God, so far from obtaining thereby any remission of his sin, incurs the additional guilt of violating a sacrament; and, by the same solemn obligations, they are bound and firmly pledged to defend, to the utmost of their power, the settlement and arrangement of property in Ireland, as established by the laws now in being; that they have declared, disavowed, and solemnly abjured, any intention to

subvert the present Church establishment, for the purpose of substituting a Catholic establishment in its stead; and that they have solemnly sworn, that they will not exercise any privilege, to which they are or may become entitled, to disturb and weaken the Protestant religion or Protestant government in Ireland; and that they can, with perfect truth, assure the House, that the political and moral principles asserted by these solemn and special tests are not merely in unison with their fixed principles, but expressly inculcated by the religion which they profess; and they do most humbly trust, that, as professors of doctrines which permit such tests to be taken, they shall appear to the House to be entitled to the full enjoyment of religious freedom, under the happy constitution of these realms; and that frequently has the legislature of Ireland borne testimony to the uniform peaceable demeanour of the Irish Roman Catholics, to their acknowledged merits as good and loyal subjects, to the wisdom and sound policy of admitting them to all the blessings of a free constitution, and of thus binding together all classes of people by mutual interest and mutual affection; and that yet may they humbly represent to the House, and they do so at this perilous crisis, with sincere regret and deep solicitude, that the Roman Catholics of Ireland still remain subject to severe and humiliating laws, rigidly enforced, universally felt, and inflicting upon them divers injurious and vexatious disabilities incapacities privations and penalties, by reason of their conscientious adherence to the religious doctrines of their forefathers; and that, for nearly the entire period of the last twenty years, the progress of religious freedom has been obstructed, and, whilst other Christian nations have hastened to unbind the fetters imposed upon religious dissent, the Roman Catholics of Ireland have remained unrelieved; and that the laws, which unequivocally attest their innocence and their merits, continue to load them with the pains of guilt; their own consciences, the voice of mankind, acquit them of crime and offence; their Protestant fellow citizens press forward, with generous ardour and enlightened benevolence, to testify their earnest wishes for their relief; yet these penal laws, of which they humbly complain, cherish the spirit of hostility, and impede the cordial union of the people, which is at all times so desirable, and now so necessary; and that

these penal laws operate for no useful or meritorious purpose, affording no aid to the constitution in church or state; not attaching affection to either, they are efficient only for objects of disunion and disaffection; they separate the Protestant from the Catholic, and withdraw both from the public good; they irritate man against his fellow creature, alienate the subject from the state, and leave the Roman Catholic community but a precarious and imperfect protection, as the reward of fixed and unbroken allegiance; and that the Petitioners forbear to detail the numerous incapacities and inconveniences inflicted by those laws, directly or indirectly, upon the Roman Catholic community, or to dwell upon the humiliating and ignominious system of exclusion, reproach, and suspicion which they generate and keep alive; perhaps no other age or nation has ever witnessed severities more vexatious, or inflictions more taunting, than those which the Petitioners have long endured, and of which but too large a portion still remains; and that relief from these disabilities and penalties they have sought through every channel that has appeared to them to be legitimate and eligible; they have never consciously violated, or sought to violate, the known laws of the land, nor have they pursued their object in any other manner than such as has been usually adhered to, and apparently the best calculated to collect and communicate their united sentiments accurately, without tumult, and to obviate all pretext for asserting, that the Roman Catholic community at large were indifferent to the pursuit of their freedom; and they can affirm, with perfect sincerity, that they have no latent views to realize, no secret or sinister objects to attain; any such imputation must be effectually repelled, as they humbly conceive, by the consideration of their numbers, their property, and their known principles and character; and that their object is avowed and direct, earnest yet natural; it extends to an equal participation of the civil rights of the constitution of their country equally with their fellow subjects of all other religious persuasions; it extends no further; and that they would cheerfully concede the enjoyment of civil and religious liberty to all mankind; they ask no more for themselves; they seek not the possession of offices, but mere eligibility to office, in common with their fellow citizens; not power or ascendancy over any class of

people, but the bare permission to rise from their prostrate posture, and to stand erect in the empire; and that they have been taught that, according to the pure and practical principles of the British constitution, property is justly entitled to a proportionate share of power; and they humbly trust, that no reasonable apprehension can arise from that power which can only be obtained and exercised through the constitution; and they are sensible, and they do not regret, that this equality of civil rights, which alone they humbly sue for, will leave a fair practical ascendancy wheresoever property shall predominate; but, whilst they acknowledge the wholesomeness of this great principle, they cannot admit the necessity of the unqualified disfranchisement of any part of the people in a constitution like that of these realms; and that they are gratified by the reflection that the attainment of this their constitutional object will prove as conducive to the welfare and security of this great empire, as to the complete relief of the Roman Catholic community; that it will secure the quiet and concord of their country, animate all classes of the people in the common defence, and form the most stable protection against the dangers which heavily menace these islands; for the Petitioners most humbly presume to submit to the House, as their firm opinion, that an equal degree of enthusiasm cannot reasonably be expected from men, who feel themselves excluded from a fair participation of the blessings of a good constitution and government, as from those who fully partake of its advantages; that the enemies of this empire, who meditate its subjugation, found their best hope of success upon the effects of those penal laws, which, by depressing millions of the inhabitants of Ireland, may weaken their attachment to their country, and impair the means of its defence; and that the continued pressure of these laws in times of unexampled danger only spreads the general feeling of distrustful alarm, and augments the risks of common ruin; and that, to avert such evils, to preserve and promote the welfare and security of this empire, and to become thoroughly identified with their fellow subjects in interests and affection, are objects as precious in their eyes, upon every consideration of property, principle, and moral duty, as in those of any other description of the inhabitants of these realms; and that, if, in thus humbly submitting their depressed condition, and their earnest

hopes, to the consideration of the House, they would dwell upon the great numbers, and the property of the Roman Catholics of Ireland, already so considerable and so rapidly encreasing, and to their consequent most important contributions to the exigencies of the state, they would do so not with a view of exciting unworthy motives for concession, but in the honest hope of suggesting legitimate and rational grounds of constitutional relief; and deeply indeed should they lament, if these very recommendations should serve only to hold them out as the objects of harsh suspicion at home, or of daring attempts upon their allegiance from abroad: may the Petitioners then, with hearts deeply interested in the fate of this their humble supplication, presume to appeal to the wisdom and benignity of the House on behalf of a very numerous, industrious, affectionate and faithful body of people, the Roman Catholics of Ireland, and to pray, that the House may be pleased to take into their favourable consideration the whole of their condition, their numbers, their services, their merits, and their sufferings; and that they may be restored to the rights and privileges of the constitution of their country, be freed from all penal and disabling laws in force against them, on account of their religious faith, and may thereby become more worthy, as well as more capable of promoting the service of the crown, and the substantial interests of this great empire."

Ordered to lie upon the table.

PETITION FROM STIRLING RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition from the provost, magistrates, and town council of the royal burgh of Stirling, North Britain, was presented and read; setting forth,

"That, in the prospect of the East India Company's Charter being soon expired, the petitioners beg leave to address the House on this very important subject, so highly interesting to the empire at large; and the petitioners humbly plead the natural right that every British subject has to exercise a free trade with every country dependent upon, or in amity with, the British empire; and that the experience of past ages sufficiently proves the general inexpediency of commercial monopolies; that the monopoly hitherto enjoyed by the East India Company, while it has excluded British subjects from any participation in the trade, so far from operating

to the advantage of the Company, has laid them under the necessity of frequently applying to government for enormous sums of the public money to support their establishment, so that, even in this respect, it is a national grievance; and that it is extremely discouraging, and in itself unnatural, that the merchants of foreign nations should be allowed the benefit of a free trade to British possessions of such magnitude, which is denied to British merchants; and the circumstance of Americans and other foreign nations carrying on trade with the countries comprehended in the East India Company's Charter, completely refutes the arguments urged by those interested in the monopoly, of a free trade being prejudicial to private merchants; and the petitioners beg leave further to state, that the continuance of this monopoly bears peculiarly hard on British merchants at present, when our inveterate foe is exerting all his power to shut out this nation from commercial intercourse with the continent of Europe, which renders the continuation of that system peculiarly inexpedient; on the other hand, the admission of a free and unfettered trade with such a large proportion of the population of the globe, most fortunately presents a very seasonable substitute for the loss of European commerce, the vast extent of countries and variety of climates situated between the Cape of Good Hope and Straits of Magellan, affording an extensive field for mercantile talents and capital, beyond the tyrannical grasp of the enemy, and such an opening cannot fail to prove highly gratifying and beneficial to the British empire at large, strengthen and secure its vital interests by reviving languishing commerce and manufactures at home, and most effectually defeat the grand object of our inveterate foe on the continent; and praying the House neither to renew nor continue the exclusive privileges of the East India Company, but to adopt such measures as may render it lawful for any of his Majesty's subjects, from and after the 1st of March, 1814, to carry on from all ports of the United Kingdom, a free and unlimited trade with the British possessions in India, and with all other countries situated to the east of the Cape of Good Hope, and to the west of Cape Horn."

Ordered to lie upon the table.

MOTION RESPECTING THE CLERKS IN THE NAVY OFFICE.] Sir F. Burdett rose to

make a motion respecting the Clerks in the Navy Office, who wished only to be put on the same footing as other clerks, and particularly with those in a similar department,—the Navy Pay Office. Some of these men had been 25 or 30 years in office, without any increase of emolument; and of late years, under pretence of economy,—an economy of which, in the present instance, he could not approve—their salaries were considerably diminished. Some of these clerks laboured under peculiar hardships, as they had purchased their places. Lord Barham, the late comptroller, had received their money, of which, as the emoluments had so considerably decreased, they were, in fact, cheated and swindled. He should move therefore, for an account of the number of clerks in the Navy-office, specifying their salaries, periods of service, and their respective emoluments. Also for a copy of the letters of the Navy Board, and of the Clerks' Memorial respecting an increase of wages, the subsequent letters relating to this subject, and the Prince Regent's order thereon.

Mr. Bennet seconded the motion.

Mr. Yorke said, that it was not usual to accede to such motions as the present, unless some strong ground was shewn to the House to induce them to take the matter into farther consideration. He thought that the hon. baronet had not made out a case sufficiently strong. As to the buying of places, and lord Barham's implication in such traffic, he did not know how it might have been; but nothing of that sort, he apprehended, could now happen, as the sale of a clerkship would subject the seller to a high responsibility. He could not allow the peculiar hardship insisted on by the hon. baronet, as the clerks had all consented to the present arrangement.

Sir F. Burdett said, that these clerks did not ask for privileges above others in similar situations; they wished only to be put on precisely the same footing. He could not conceive that this application would induce other clerks to lay their case before parliament, as the present was one of a peculiar nature. It was, in his mind, an additional motive for acceding to his proposition, that the conduct of lord Barham might be enquired into; especially as, from what had fallen from the right hon. gentleman, it appeared that such conduct was now properly stigmatised by the government. Lord Barham's

conduct ought certainly to be investigated, as through his means the clerks had been completely swindled out of their money. It was illiberal and unjust to talk of the consent of these clerks to the new arrangements. What could they do? Could they resign? Were they in a condition to contend or make bargains with government?

Sir C. Pole thought it inexpedient, in the present hardships of the times, to encourage any hopes of increase of salary which could not be realized. Other clerks might also be induced to come forward with similar applications.

The House then divided.—For the motion 15—Against it 62—Majority 47.

MOTION RESPECTING THE LICENCE TRADE.] The Hon. William Herbert, on rising to move for the production of certain papers connected with the trade now carried on under the Licence system, observed, that he had refrained from bringing the subject forward at an earlier period, only from a wish that his right hon. friend, the Judge of the High Court of Admiralty, should attend in his place on the discussion of a question in which, from the office he held, he must feel so deep an interest. He now wished that these papers should be laid before the House previous to that grave decision which they might expect soon to be called on to make with respect to the numerous petitions against the Orders in Council.—He had communicated his intention to submit this motion to the right hon. gentleman opposite, who desired to consult with the Judge of the Court of Admiralty before he answered as to the objections which he might have to make to the motion. After consulting with that right hon. and learned gentleman, the right hon. gentleman had acquainted him with the necessity which he felt of opposing the production of these papers. He should have imagined, therefore, that his right hon. friend, the Judge of the High Court of Admiralty, would have deemed it necessary on this occasion to attend, and inform the House on what general grounds it was, that he was averse to produce documents, without which it was impossible to have an accurate knowledge of the frauds, the perjuries and forgeries with which the Licence trade was carried on. The speech of the right hon. the Vice President of the Board of Trade, when the Orders in Council were lately under consideration, had filled him with great anxiety, which he had shewn per-

haps too plainly, in rising at a very late hour on that night, when he found it, however, impossible to procure a hearing; but he had ever since felt, and still continued to feel the same anxiety to shew and to prove by uncontrovertible evidence how unfounded were the assertions then hazarded by that right hon. gentleman.—He was fearful on that occasion, and his fear alone had induced him to intrude on the patience of the House, that his silence on hearing such statements and assertions made without contradiction, should have been interpreted into an acquiescence in their correctness and their truth. The reason stated by the Chancellor of the Exchequer for resisting the production of the papers asked for, namely, that it would be inconvenient, because, if they were to be granted, it would be necessary for those on the other side to move for papers explanatory of the neutralizing system, seemed to him to be most extraordinary, and in this opinion the House must agree with him, when it was considered what the nature of those papers must be. The neutralizing system was one for the disguising of property, to prevent persons in this country from discovering to whom it really belonged, and, to such perfection was it carried, that even persons of the utmost astuteness were disappointed in their endeavours to come at the fact. He should now proceed to shew to what extent perjury existed in the Licence trade, and that it was necessary for the continuance of that trade in this country. The first paper he should move for went to prove, that oaths were required to be taken on the continent, before any vessel could be permitted to clear out, that she was to proceed to a port named, or any other port, and was to carry such and such property. Every English port, however, and every species of English property, however, being always excepted. To prove this he should confine himself to one instance, where the captain having, as was required of him, taken this oath on the Continent, made an answer in the Admiralty Court in this country, which he should also move for, that though previous to his clearing out from the Continent, he had sworn that he was not to proceed to any English port, yet in reality he was destined for the port of Leith. This, he presumed, would be sufficient to shew, that oaths were taken on the Continent that vessels were not to proceed to this country, when in reality they were bound for this country under licence. But what

he was most anxious to point out to the attention of the House was, that these perjuries were recognised in the courts of this country. To prove this fact, he should move for papers in a case where it being obvious and notorious to every one, that the master and every one of the crew were perjured, the vessel was restored on that perjured evidence, such being considered the machinery necessary for carrying on the Licence trade of this country. In the case to which he alluded, the vessel came to this country from Amsterdam; from hence it proceeded to St. Petersburg, and from thence returned with a cargo to this country. There the master, mate, and all the crew, for the satisfaction of the Russian government, swore that they had proceeded direct from Amsterdam to Russia, and accounted for the length of time that had intervened by a fabricated statement of tempestuous weather which they had encountered, of bad treatment on an inhospitable island, and of interruptions by the ice. Were it not that he understood from the right hon. gent. the Chancellor of the Exchequer, that the papers he wished would not be granted to him, he should have moved for the whole of this doubly fabricated history; and should have shewn from the answer of the captain in the Court of Admiralty here, that during the time he was struggling in the course of his voyage through the ice, as sworn to in his affidavit in Russia, he was actually in this country. He should not read the whole of these papers, which were of considerable length, but he simply stated these as their contents. When this case was argued before the Court of Admiralty, a junior counsel, who, in the simplicity of his soul, thought that a perjured document could not be received in an English court of law, was treated with contempt for his ignorance; and was almost hooted at by his more experienced brethren, for objecting to a document which was necessary for carrying on the trade of this country. This doctrine was assented to by the court, and the objection was instantly over-ruled. He asked, was he not founded in justice, in saying, that this was a system so destructive to morality, and to the well-being of the country, that it ought not at least to receive the favour and protection of the Court of Admiralty of this country? There was another paper which he would have moved for, namely, a copy of instructions how to act in case of a vessel's being detained, as exhibiting a most dis-

gusting picture of the frauds which the country was reduced to practise, in order to be enabled to carry on this trade by licences. It would not be necessary for him to fatigue the House by an enumeration of the different false, fabricated, and inconsistent documents which these instructions recommended every captain to be provided with, so as to suit every emergency. It was sufficient to say, that perjury was universally practised throughout the whole system; and that it was even admitted and tolerated in our courts of Admiralty. That this was the case he had already explained in the instance of the vessel from Amsterdam, to which he had already alluded.—For, if he could shew, which he pledged himself to do, if the papers were granted to him, that a single vessel had been liberated where it was evident all the documents were grounded on perjury, then there could be no doubt what the principle was, and that it ought to be looked at with horror and detestation. He could not say that, to his conception of the matter, the Court of Admiralty had done its duty. Was a person sitting in judgment to be told, that it was necessary to colour and protect property by fraud and perjury, to listen to that idea, because he was informed, as a reason for his doing so, that the perjury was committed, not for the purpose of deceiving this country, but for the purpose of deceiving our enemies? He could not listen to such reasoning. He must continue to have his ideas directed by the rules of justice. He could not swerve from his duty; but was bound to believe, that a person who would not scruple to perjure himself, or to take a false oath for the purpose of deceiving our enemies, would have equally little scruple in deceiving us. Where were the limits to such a system, he asked, to be drawn? Where was it to stop? He did not know if such a question had ever come before any of our courts of common law. If it ever did, he sincerely hoped they would follow a different course, and would not give credit to perjured men and to perjured documents. The next article to which he begged to call the attention of the House, was the abuses resulting from this system, and from this trade. An hon. friend of his, when this subject was formerly before the House, called their attention to the fact of two licences having been granted for brandy, at a time when such licences were not generally granted, and when two such licences would have been well worth to

any man, as it was stated, the sum of 15,000*l*. The excuse then made was, that this was a solitary instance of clerical inaccuracy, and, as such, was not of much importance. The papers he should have moved for on this subject, he conceived, might have been granted, notwithstanding the objection stated by the right hon. gentleman to the production of the other papers, for the papers on this subject were not at all met by the neutralizing system. What he begged, in the first place, particularly to allude to was, the antedating of licences. On this head he had a circumstance to state which would, in all probability, never have come to light, had it not been for the exertion of an active gentleman, who had been able even to trace an erasure on the subject in the council books. The case to which he referred was that of the *Vrow Debora*, for which a licence was applied for by Messrs. Baker and Son, to import a cargo of butter and cheese. This petition was presented on the 20th of January, and the answer was—"refused." The vessel was afterwards captured, and, on the 30th of January, an application was made to have the licence granted, with an alteration or addition, that the cargo should be exported in a British vessel, and with this addition, the licence was granted. Mr. W. Rothery, of Doctors' Commons, had made an affidavit on this subject, in which he stated the above facts, and that there was an entry in the council books, when he originally searched them, under date 20th January, to the effect that the application for a licence to the *Vrow Debora* was refused, but that on a subsequent examination in April following, the word 'refused' had vanished, and the word 'granted' appeared in its stead. He (Mr. Herbert) was satisfied the noble lord at the head of the Board of Trade, and the right hon. gentleman opposite (Mr. Rose) had nothing to do with this; but, if such practices were suffered, what a door for corruption and fraud of every kind was thereby opened. He had in his possession a correspondence from the other side of the water, which shewed what was the opinion there entertained of the persons who had influence on the Treasury Board of this country, and went far to prove, that the statement of an hon. and learned friend of his on a late important debate—that the persons who had influence there were no better than hawkers and pedlars, was not too highly coloured; it went far to shew that the members of that

Board were swayed by the advice of some persons who imposed upon them; and that, however pure themselves, they were operated upon by those who were not so. Before he proceeded to this correspondence, however, he begged to notice the fluctuating policy by which the Board of Trade were actuated, varying as it did every day, and thereby giving rise to the most mischievous speculations. The correspondence to which he referred, proved the existence of a trade in buying up licences which had expired, and fabricating excuses to the Board of Trade to induce them to renew such licences. Adverting to a correspondence from certain persons in Bourdeaux to an agent in this country, he stated, that in one letter the foreign correspondent directed his agent to give 3,000 francs for an expired licence, and to send it to him, that a story might be fabricated, or himself to fabricate a story such as might be calculated to induce the Board of Trade to renew it. In another letter a similar measure was recommended, and it was stated, that a traveller would be sent to meet the agent in England, so that the matter might be more cleverly concerted. It was also in the knowledge of this correspondent, as expressed in his letters, that another person had already successfully practised this iniquitous fabrication. In other letters this correspondent informed his agent, that if he could get two licences, one for the Isle of France, and another for Guadaloupe, he might give for the former 500*l.* and for the latter 700*l.*; and these sums he was afterwards authorised to increase to 2000 guineas. These sums, it was to be observed, were offered, not as if licences were an article which could be dealt in, but actually as bribes; and the same correspondent seemed to think that, by offering additional bribes, he could get the conditions of licences changed. Gentlemen might smile, supposing that he imagined that the Board of Trade had been bribed. That was not an idea which had ever entered his mind; but this he must be allowed to say, that the Board might have been necessitated to take advice from persons who had been bribed. Whether the licences so wished to be purchased had or had not been obtained, he (Mr. Herbert) had no knowledge. But this, at least, did appear, that there existed a belief in the ports of France that they might be obtained through bribery; a belief which it was hardly probable should

have existed, unless it had been founded on experience. The only argument the right hon. gentlemen had used, or could use, for this practice, fraught with so many evils, and with so much ignominy to the country, was the recriminating one, that similar licences had been issued by their predecessors; but this fell altogether short, both in the extent to which, and the principle on which former licences had been issued. It was his opinion that the House of Commons ought to mark their sense of these proceedings, and therefore he should conclude by moving the following Resolution: "That the House sees with regret the system of fraud and perjury recognized and protected by the high court of Admiralty, as justifiable and necessary under the present circumstances of the commerce of the country; the abuses and corruptions to which the system is liable; the depraved example it holds out to the morals of the nation, dangerous to the fundamental principles of evidence, and encouraging a disregard of truth in courts of justice, where truth only ought to be admitted; as well as the unprincipled monopoly of conducting trade with an enemy by means of licences, from which neutral nations are excluded, on a plea of necessity, subversive of the most sacred principles of the laws of nations."

Mr. *Rose* expressed his utter astonishment at the motion just read, calling upon the House to pass the strongest censure upon the Court of Admiralty, without the slightest testimony being adduced to prove that it was well founded. He complained that the expressions which he had used in a recent debate on this subject had been much misrepresented; and he was convinced in his conscience that there was much less of perjury in the courts of Admiralty under the licence system, than what formerly existed in the neutral system. At that time, enemy's property was only introduced into this country through the medium of its being falsely sworn to be neutral property: whereas at present, there was no occasion for perjuries of that nature, as it could be introduced by licences. He was firmly persuaded, that if the system now adopted were abandoned, the consequence would be the extinction of the commerce of Great Britain.

Mr. *H. Thornton* was surprised that the motion had not been confined to the production of papers, on which the hon. gentleman might, perhaps, have founded some

future vote of censure. He admitted that frauds did exist, and thought that it would be fit that an enquiry should be instituted to ascertain their origin: and he deprecated receiving in our courts of Admiralty the testimony of men who were forsworn upon the continent.

Mr. Ponsonby agreed that the Resolution read from the chair was ill-timed and imprudent, and that, notwithstanding the declared opposition that was to be given, it would have been better simply to have moved for the papers. He felt the full weight of the remark of the hon. gentleman who spoke last, and was convinced that no profit which Great Britain could derive from fraud, could compensate for the injury that would arise from the destruction of the public morals. As to the proceedings of the court of Admiralty, he was not prepared to give any positive opinion, without much previous inquiry, and therefore moved as an amendment, "That this House will, on the 1st May, resolve itself into a Committee of the whole House, to take into consideration the state of the trade of this country as carried on by licences." Should, however, this suggestion, as he supposed it would, be negatived, he should recommend to his hon. friend to move for the production of the various documents to which he had referred.

The *Chancellor of the Exchequer* could not support the amendment, although he thought it not so objectionable as the Resolution, which conveyed a strong censure on the Admiralty Court, in the absence of the right hon. judge (sir William Scott).

Mr. Brougham supported the motion. Mr. Marryatt and sir John Nichol opposed the motion. Mr. Thompson, Mr. Whitbread, Mr. A. Baring and sir John Newport supported it. Mr. Herbert replied, and the motion was then negatived without a division.

It was then ordered, "That there be laid before this House, a copy of the Licences whereby permission is granted for importation of goods of the produce or manufacture of France, on the previous exportation of British manufactures or colonial produce to the amount of 5*l.* per ton in value upon the admeasurement of the exporting vessel." Also, "A copy of any bond or obligation required of any merchant or others to whom licence has been granted to import goods of the produce or manufacture of France (upon condition of first exporting to France goods of the manu-

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facture of England or colonial produce, to the value of 5*l.* per ton, on the admeasurement of the exporting vessel) to export goods of English manufacture or colonial produce to the full value of the goods imported from France, and of any obligation to warehouse the French goods imported, until the exportation of English goods equivalent."

HOUSE OF COMMONS.

Friday, April 17.

TEN PETITIONS OF CHRISTIANS FOR LIBERTY OF CONSCIENCE.] Mr. Whitbread said he held in his hand one Petition, and there were lying by his side, other Petitions of an exactly similar nature, signed by between 8,000 and 9,000 persons, praying for complete Liberty of Conscience to all the subjects of the British empire. These Petitions were signed by Christians of all denominations, dissenting from the church of England. It was almost exactly similar to a Petition, which he had had the honour of presenting to the House on the same subject three years ago. In using the word "honour," he meant it not to be understood, not as in the ordinary course of expression, when a person presented any application to that House, but as expressive of the gratification which he felt, and honour which he esteemed to have been conferred on him, in having that Petition put into his hands by one of the most enlightened and liberal Christians in this or any other country. A man who, during a long life, had been distinguished for universal benevolence and charity, and who was still anxious, even at his advanced period of life, not to relax in his exertions, but to persevere to the end in that course, and for that object, for which he had laboured through life—good will to his fellow men, and peace on earth! After having said this, he was satisfied that he had sufficiently designated the person to whom he alluded, to be the Rev. M. Wyvill. The Petitions which he had to present were from York, Sheffield, Leeds, Hull, Norwich, &c.

The Petitions were then brought up and read, setting forth,

"That the Petitioners were Christians, who consider absolute liberty of conscience respecting religion to be the unalienable right of all men, that it is the duty of all men to examine as diligently as may be in their power, the doctrines of religion, and after such diligent examination, to

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adopt and to profess what may appear to them to be the truth; and that, in the performance of that duty, men ought not to be obstructed or discouraged, or otherwise tempted to act hypocritically, by any law tending to bias them in the course of such examination of the doctrines of religion, by subjecting them, in the case of their dissenting from the doctrines of any established church, to suffer death by burning or otherwise, or to suffer any corporal or pecuniary punishment, or to be injured in their reputation by any disability more or less disgraceful; and that the Petitioners acknowledge, with high satisfaction, that, in the present reign, considerable progress has been made towards the full restoration of the rights of conscience, by the wisdom of parliament and the benignity of the king rescinding various laws, in whole or in part, which were violations of those rights; yet, since other penal laws, not less injurious to those rights, remain unrepealed, since some of these laws subject to corporal punishments or pecuniary penalties, others, as in the case of the test laws passed in the reign of king Charles the second, subject to disgrace, disability, and privation of civil rights, persons, whose only offence it is that, in conformity with their duty, they have examined the doctrines of religion, and by such examination have been induced to embrace and to profess religious opinions different from the doctrines of the Established Church; and that the Petitioners feel it to be their duty humbly but earnestly to remonstrate against the longer continuance of any of those intolerant laws; and they do, in conformity with the premises, expressly petition the House, that every such law may be repealed, and the rights of conscience may thus be restored to all the subjects of this United Kingdom; and the Petitioners humbly beg leave to add, that this request, as it appears to them, is grounded on the most evident considerations of justice; and they trust that the compliance of the state would yet conciliate the affection of millions of their aggrieved fellow subjects, and unite them for ever to the interests of the empire: under each of these aspects their request claims, and they hope will be found to deserve, the assent of the House, as they are statesmen anxious for the safety of their country, and as they are moralists determined to act impartially on the rules of justice; but, when the Petitioners consider farther,

that every attempt to influence men in their choice and profession of religion by penal laws, whether corrupt or compulsive in their operation, is contrary to the spirit of the gospel, and forbidden by its plainest precepts in numerous passages, they hope it may be allowed them more particularly, and with all possible earnestness, to intreat the serious and sincere Christians in the House to interpose their endeavours, not only to vindicate the Gospel from the groundless charge of intolerance, but to influence this Christian state to conform its laws for the protection of the Established Church, to the purity, benignity, and exalted integrity of the religion of the Gospel, to renounce the whole system of persecution, the long accumulation of ages of barbarism and discord, and to free an almost countless multitude of injured individuals from the temptation of ensnaring tests, and the more oppressive severities of compulsive intolerance; by the success of such salutary counsels, at once restoring concord and safety to the empire, and freeing our national Church from the just reproach of retaining that support which persecuting laws can bestow, but which Christianity condemns, and would disdain to accept."

The Petitions were ordered to lay on the table.

Mr. Whitbread then said, that were it not for the circumstances of the present times, he should bring forward a specific proposition on the subject of these Petitions. Considering, however, that a right hon. friend of his had given notice of a motion which would shortly come before the House, and which would involve the interests of Christians of every denomination; going, as it naturally would, to the repeal of all the disabilities of the present day, he should wait, therefore, the result of that discussion, which, he presumed, would be for a committee of the House to take this important question into consideration. Being now on his legs, however, he begged leave to state, that unless the decision of the court of King's-bench on a case now pending before them, should render the thing unnecessary, he should submit to the House a motion on a subject not altogether unconnected with religious toleration. It had hitherto been supposed, that it was required of magistrates to tender the oaths to persons wishing to qualify for preaching or teaching, who tendered themselves. This had hitherto been considered to be the law, but it was

now alleged that it was not so, and a more limited interpretation was now wished to be given to the enactment of the statute. If the court of King's-bench should decide in favour of this more limited construction, he gave notice, that he should, on the 29th of April, bring forward a proposition for making that which was the more liberal interpretation, the legal interpretation also.

PETITION FROM DUDLEY, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Mr. *Lyttelton* presented a Petition from the commercial and manufacturing inhabitants of Dudley. He said he felt it his duty, in presenting this Petition, to state to the House, that in the populous neighbourhood of Dudley there was at this moment the greatest distress prevailing, from the very high price of provisions; that the higher classes of manufacturers in that town and neighbourhood had on all occasions evinced their loyalty and patriotism, and from these praiseworthy principles, had always endeavoured to alleviate the distresses of the working men, by expending their capitals in giving them employment, in hopes that the American markets would soon be opened, and the monopoly of the East India Company done away; so that new sources might be opened to the encouragement of British industry and adventure; but he was afraid it could not be done much longer; and it seemed necessary the House should give attention to the subject.

The Petition was then read, setting forth,

"That the Petitioners beg leave to represent to the House the distressed situation of the numerous manufacturers of that populous town and neighbourhood; and that in consequence of the great depression in trade, the labouring mechanics have not sufficient employment to enable them to maintain their families and to preserve them from want; and the petitioners look up to the House as the representatives and protectors of this great commercial empire, and indulge a confident hope, that the House will adopt such measures as may be best calculated to remedy the distresses and difficulties under which they are at present labouring; and the petitioners are of opinion, that it is expedient to discontinue the commercial monopoly of the East India Company at the expiration of their present Charter; and it appears to them to be both unreasonable and

unjust, that British subjects should be denied the privilege of trading to India whilst it is allowed to neutral nations; and praying the House to adopt the necessary measures for the abolition of the commercial monopoly of the East India Company, or at least such part thereof as to their wisdom may seem expedient."

Mr. *Creevey* wished to ask the Chancellor of the Exchequer a question. That right hon. gentleman had lately signified his intention to bring forward certain propositions, the week after next, respecting the Company's renewal of their Charter. On former occasions of this kind, a statement of the Company's affairs had been laid before the House, which was referred to a Committee, and a report made thereon; but it would be impossible this could now be done, so that the members would have time to consider the report in the present session. He wished, therefore, to be informed by the right hon. gentleman, whether he meant to persist in his notice; as, considering all the outports of the country had their delegates in town, for the purpose of attending to this important question, it was highly desirable to know whether it would really come on or not?

The Chancellor of the Exchequer answered, that he had certainly mentioned his intention of submitting certain resolutions on that subject to a Committee of the whole House the week after next; and, if he had altered his intention, he should have signified the same to the House. It was his intention not only to submit that business to the consideration of the House, but to carry it through during the present session, unless difficulties should arise of which he had at present no conception.

PETITION FROM THE HALLAMSHIRE CUTLERS, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Mr. *Wilberforce* presented a Petition from the master wardens searchers assistants and commonalty of the company of cutlers, within Hallamshire, in the county of York, setting forth,

"That the Petitioners are of opinion that a free trade to every part of his Majesty's dominions is the natural right of all his subjects; and that such trade ought to be liable to no restrictions which do not more evidently promote the advantage of the commonwealth, whence, in their very principle, restrictions are only temporary, and ought to be removed as soon as the

balance of public interest between a free trade and a monopoly is restored in favour of the former: and that, on the 1st of March, 1814, the entire right of commerce in the seas and to the territories between the Cape of Good Hope and the Straits of Magellan, granted to the East India Company, will expire, when the free trade in those seas and to those territories will of course revert to all his Majesty's subjects, to whom it belongs, and from whom it ought not to be withheld, unless the paramount interest of the state itself requires a continuance of the afore-mentioned monopoly; and that, since the incorporation of the East India Company, the British dominions in that quarter of the globe have been so greatly enlarged, that it is impossible for the Company, in its present circumstances, to carry on a traffic throughout the East, commensurate to the extent of territory under the government or the controul of his Majesty, whence their monopoly is not even beneficial to themselves in proportion as it is detrimental to the general interests of British commerce; and that it is well known that the prosperity of the East India Company has not increased with the glorious progress of his Majesty's arms, which have left the enemies of Britain without a colony; and that the annual exports of our home manufactures to all the regions of the East, scarcely amount to one fifth of the ordinary exports to the United States of America, though the former countries exceed the latter sevenfold in extent, and fiftyfold in population; hence the Petitioners presume that, after the expiration of their charter, the Company still remaining a corporation, may fully, if not more profitably, employ their funds in the trade as heretofore, while the mother country will be benefited beyond what it has been or can be under the monopoly, to the extent of the additional commerce opened by the industry spirit and capital of enterprising individuals; and that the intercourse with the East Indies, prohibited to the subjects of these realms, having been conceded to foreign powers in amity with his Majesty, the merchants of the United States of America have been enriching themselves commercially and politically, exalting their own nation, and supplying many parts of the world with East India produce, to the loss of this country: and that the Petitioners will not dwell here on the difficulties under which, as merchants and manufacturers, the numerous inhabitants

of their district labour in the present circumstances of the country, but they look, with confidence, to their representatives in parliament for relief, under temporary calamities, by an unreserved grant of every facility to commerce which the interest of the whole state demands, and which the most liberal policy will justify; and they do most earnestly and respectfully intreat the House, not to deprive the whole body of British merchants of any part of their rightful inheritance, a free trade to every part of his Majesty's dominions, by renewing the charter of the East India Company; and they rely on the wisdom and virtue of parliament thus to turn to the utmost advantage the immense possessions of our sovereign in the East, to counterbalance, in some measure, the iniquitous and tyrannical prohibitions of our enemy on the continent of Europe, to compensate for the interruption of friendly intercourse, whether temporary or permanent, with the United States of America, and, above all, to render this country so far independent of commerce with rival nations, that, whether at war or at peace, we may have strength and resources within ourselves to conduct the former with glory and success, and to enjoy the latter with honour and security."

Ordered to lie upon the table.

PETITION FROM SHEFFIELD AGAINST THE ORDERS IN COUNCIL.] Mr. *Wilberforce* presented a Petition from several merchants manufacturers and others the loyal inhabitants of the populous town of Sheffield, in the county of York, and its vicinity, setting forth,

"That no inconsiderable portion of the wealth of the United Kingdom is derived from commerce and manufactures, and the town and vicinity of Sheffield are particularly indebted to these for the means of support; and that of all foreign markets yet discovered for the sale of our manufactures the United States of America has been the most important; and that the Orders in Council to counteract the Berlin and Milan decrees of the enemy have for a long period deprived the Petitioners of this most valuable market, in consequence of which many of their towns-people and neighbours are unemployed, and their families dependent on the poor rates for subsistence; and they solemnly assure the House, that if they regarded those Orders as necessary for supporting the honour and dignity, the just rights and in-

dependence of the United Kingdom, they would willingly bear the pressure without a murmur; but, they are persuaded that they are unnecessary for these desirable ends, that they have proved most disastrous to those, whom they were intended to benefit, and most advantageous to the enemy, whom they were intended to distress; instead of retaliating upon France the evils which her unjust and atrocious Decrees were framed to inflict, they have rendered those Decrees effectual against ourselves, and have done that injury to our commerce and manufactures which all the measures of our enemy had vainly attempted to produce; and the Petitioners are further of opinion, that such is the predominant influence of France over a vast portion of the European continent, that she can command the supply of every necessary article without possessing a single flag on the ocean, while the exclusion of other nations from her ports, caused partly by her own, but more effectually by our regulations, has encouraged within her dominions manufactures which would not otherwise have arisen; and that the Orders in Council, by producing an amazing extension of the licence system, have not only deprived this country of a considerable amount of bullion, but also enabled France to trade unmolested on our own coasts, and create a navy which may, in time, become truly formidable; and that by allowing the intervention of neutrals, we exclude ourselves from the only chance of carrying on a profitable trade with the enemy, and are in imminent danger of seeing our friends arrayed against us under the banners of France; and that should the Petitioners' hopes of preserving peace with America be disappointed, and that most valuable mart for their languishing manufactures be totally destroyed, they fear that the consequences would be ruinous to themselves, and extensively hurtful to the country; and praying the House to recommend to his royal highness the Prince Regent to rescind those Orders in Council, which, in the opinion of the Petitioners, have failed to produce the beneficial effects intended, and while they have enriched the enemy, have deeply injured our friends."

PETITION FROM BIRMINGHAM AGAINST THE ORDERS IN COUNCIL.] Sir Charles Mordaunt presented a Petition from several merchants, manufacturers, and other

inhabitants of the town of Birmingham, setting forth,

"That the Petitioners most humbly represent to the House, that the industry and ingenuity of British manufacturers, aided by the spirit of our invaluable constitution, have produced those great mechanical improvements, and called forth that division of labour, which have given to the merchants of this country a pre-eminence in foreign markets, and have greatly contributed to support that naval superiority which has hitherto constituted the strength and security of the nation; and that not only the revenue, but the very existence of society in its present state in this country, depends upon the prosperity of its manufactures and commerce; and that they view with the deepest regret the present ruinous situation of the manufactures and commerce of the United Kingdom, and are decidedly of opinion that the Orders in Council, by closing their commercial intercourse with the United States of America, are a principal cause of the evils they deplore; and that they consider the system of licences as a virtual acknowledgment of the impolicy of the Orders in Council, giving relief to their inveterate enemy, affording a just cause of complaint to those whom they desire to consider their friends, degrading to the character of the British merchant, subversive of morality, and highly injurious to the navy of Great Britain, a system which, at the same time that it affords a partial and dear-bought assistance to the commerce of the metropolis, renders not the smallest relief to the distressed manufacturers of the United Kingdom; and that, when nearly all the channels of trade to the continent of Europe are closed, the commerce of the East, possessed by an exclusive monopoly, and the national expenditure unparalleled in the annals of the world, the Petitioners deem it incumbent upon them earnestly to recommend to the consideration of the House, the propriety of revoking those measures which the Petitioners conceive to have been originally contrary to the recognised laws of nations, inconsistent with the principles of sound policy, and which threaten to involve this kingdom in a war with its most valuable commercial connection, America, a country linked to England by the powerful affinities of common origin, similarity of language, laws and manners; and that, in the opinion of the Petitioners, the direct tendency of

the Orders in Council is to force America upon her own resources, and to oblige her to become a manufacturing nation much earlier than, in the natural course of events, would be the case; and that the town and neighbourhood of Birmingham, containing a most numerous population, and being unquestionably one of the most important manufacturing districts in the British empire, have greatly depended upon a friendly intercourse with the United States of America, and are suffering most severely under the operation of the Orders in Council; and that, if this destructive system be persisted in, thousands of laborious and respectable mechanics will inevitably be deprived of their present partial and precarious employment; and whilst the Petitioners deplore their distressed situation, aggravated by the advancing price of every necessary of life, their concern is greatly heightened by the consideration, that the capital of the merchants and manufacturers is rapidly absorbing in stock, constantly depreciating in value, their ability to participate in the increasing burdens of the state proportionably diminishing, and their efforts consequently paralysed, at a period when all practicable means should be resorted to for cementing national union, and supporting with vigour the momentous contest in which we are engaged; and earnestly praying the House to take measures for obtaining a revocation of the Orders in Council."

On the motion that the Petition do lie on the table,

Mr. *Baring* rose, and said, that it was impossible for him to see Petitions of this kind, signed by 14,000 persons, presented to that House, without feeling a sensation of regret that they should so silently be ordered to lie on the table. He could not think of the distresses under which the Petitioners laboured, and which in other places had led to confusions and riots of the most alarming kind, without in some measure calling the attention of the House to the subject. The effects which these Orders in Council were calculated to produce were now seen on the people of England. The present Petitioners were not disloyal or disaffected persons—they were not men disposed to obstruct the government—but to support it. They had even been willing to suppose that the measures adopted were salutary ones, and, in expectation of a change for the better, the masters had gone on keeping their

workmen in employment, though to a limited extent; till now, seeing themselves reduced to ruin by their exertions to carry on their trade under every disadvantage, and those under them brought to a state of starvation, they could no longer shut their eyes against the conviction, that their calamities arose from the obstructions imposed by the right hon. the Chancellor of the Exchequer on commerce. It was impossible for any one to converse with those persons who had come up in order to present those Petitions, without being convinced of these facts—that there were great orders from America which the manufacturers could not execute, and that they had, in their different lines of business, great stocks of goods which they could not export, on account of those obstructions, all of which arose from the Orders in Council. It was not his intention now to go into any discussion on the policy of the Orders in Council; he should only express a hope that when all the Petitions on the subject were presented, some gentleman would bring forward the question, and that the House would no longer be led astray by speculative opinions, but would listen to the statements of those who were really interested in the question, and who so severely felt the weight of the pressure and distress brought upon them by these Orders in Council. The government of this country began by excluding the trade of neutrals; then they adopted measures which they thought were calculated to distress the enemy; and, in what had this ended, but in the complete ruin of our own manufactures?—and in granting licences to bring into this country the manufactures of our enemies, for which the right hon. gentleman had found a market.—If this was not the language of their printed licences, he could not say what those licences meant, extending, as they did, to lawns, laces, silk, perfumery, and all other articles of French manufacture. If this country and France had been in a state of perfect peace, there was not another article which France could have asked permission to import into this country, save only wine and brandy;—and the only condition required for all this was, that there should in return be loaded and exported from this country, goods to the amount of 5*l.* sterling, for every ton's burden of the vessel.—This was the species of reciprocity, which the right hon. gentleman established for the manufacturers and traders of this country;

and the House could not well err as to the opinion to be formed of such measures, when they saw from the Petitions on the table what was the result. This 5*l.* per ton mentioned in the licences was merely nominal, and in lieu of this 5*l.* there might be imported into this country to the amount of 5,000*l.* He hoped the right hon. gentleman would now explain to the House, what reciprocity there was in this trade which he had given us, and which no commercial man was able to understand. The right hon. gentleman said, indeed, that our manufacturers were in a state of suffering at the time these Orders in Council were passed; but there was no statement from any of the manufacturing towns to warrant such an assertion. He could tell the right hon. gentleman, and so would all these Petitioners, that at the time alluded to, the trade with America was rapidly increasing, and was greater than any thing which he could obtain for them from all the continent of Europe.—He was sorry to think that one of the means of alleviating the distresses, under which our manufacturers now laboured, namely, that of throwing open the trade to the East Indies, instead of being a boon would increase their sufferings, while it endangered the safety of our Indian empire. Throwing open that trade, he was satisfied, could never materially increase the demand for the manufactures of this country in the East, and this would operate as an addition, rather than a diminution of the distresses at present felt by our manufacturers, and would in an especial manner disappoint the expectations of those who speculated in adventures to the East. In these circumstances, he contended, that the House was called on to appoint a committee, to consider in what manner the sufferings of the manufacturing interests could most effectually and materially be diminished. What the House could do, they were called on now to do: it was plain, that no good was to be expected from the fanciful and visionary speculations in which the right hon. gentleman had been indulging.

Mr. *Rose* said, as the Orders in Council would soon, as stated by the hon. gentleman, come before them for general discussion, he would now abstain from that subject so incidentally introduced. With respect to the Licence trade, too, as the papers and licences were to be laid on their table on Monday; it would, perhaps, be as well to leave that matter till a

fitter time, when the necessary information was before them. The hon. gentleman had said, that for the value of 5*l.* per ton exported, all the manufactures of France were permitted to be brought into this country—but he had not stated, that on these manufactures so heavy a duty was imposed, as sufficiently to protect the British trader. On linen and lawns, for instance, there was a duty of 60 per cent.; and, as for lace and cambric, the permission to import them, he believed, did not add a single yard to the quantity brought into the country; and it was upon this principle, that all administrations had permitted them to be imported. He trusted, the House would not allow itself to be drawn into a discussion every day on the same subjects. As for the iron manufacturers in Dudley and Birmingham, he knew, that they felt the existing pressure more than any other description of persons, as their articles were more limited to the American market. But the House, on discussing the subject, would be able to see, whether or not our American trade was injured by the Orders in Council, which were not issued for the purposes mentioned by the hon. gentleman, but for the purpose of retorting upon our enemy, France. No doubt, the manufacturers in this country were, at this moment, suffering greatly; but the question was, whether their sufferings proceeded from these Orders, or, as he contended, from the measures of Buonaparté? If the revocation of the Orders would hurt the country generally, though it might relieve a certain proportion of distress, they were placed in a very painful dilemma, in deciding upon the line of conduct incumbent upon them as a legislature, to pursue, either to come to that revocation, or continue to lock up America from trade. No person could feel more sensibly than he did for the distresses of our manufacturers, and he was satisfied their motive in petitioning was most pure; but it by no means followed that those distresses were occasioned by the Orders in Council. In Birmingham he was happy to think, that the manufacturers still continued to keep the workmen employed, though the pressure upon them was great; and he had also the satisfaction of understanding, that the poor's rates had been reduced in Birmingham within the last three years.

Sir *C. Mordaunt* confirmed the statement, that Birmingham was not actually in that state of distress which warranted the

use of such a hard word as "starvation." Such an allegation ought not to go forth uncontradicted. It was true that Birmingham suffered in common with all other places in the empire, but the want of employment had hitherto not been felt there. At the same time he was aware, that distress of that kind must soon attach to the manufacturers, as, from their immense stock on hand, they must either find a market, or cease to employ their workmen. As a proof that they had not yet been severely afflicted, he corroborated the statement of the right hon. gentleman who preceded him, that the Poor's Rates had decreased, and noticed that the recruiting service was very slack. As for America, she could not do without Birmingham—she could not even shave herself, or catch her mice without their aid. He had only further to notice, that the signers of this Petition were loyal men, who, if they were convinced that even their immediate privations were for the good of the country, would be content to retire from trade, and dig potatoes in their gardens.

Mr. *Whitbread* conceded that the hon. baronet had given a true description of the condition of Birmingham; but while he gave credit to the hon. baronet, he was also bound to believe what was stated by the petitioners, who were Birmingham men, and whose account in some points varied very much from his. They stated, that if the Orders in Council were not revoked ruin would follow, and he perfectly believed the fact. It was true the labourers had not yet felt what it was to be out of employment, because the manufacturers, in an exemplary manner, and highly to their honour, had in these perilous times forgone all those advantages to which commercial men usually looked—they had exhausted their capital for the sake of employing their men, and avoiding those dreadful consequences and disorders, the end of which it was not easy to foresee, but of which every moment was bringing them tidings from various quarters of the kingdom. In such circumstances, the House was peculiarly called on to do all that in them lay, to ward off impending ruin from persons of this meritorious description. All these things demanded enquiry, and proved the expediency of referring it to a committee to ascertain, by their deliberative wisdom, if in their complaint these manufacturers assigned the true causes, and what could be done for their relief. The House would

compare the march of the right hon. gentleman this year with his march the year preceding. Last year, when a calamitous case was stated, though by no means comparable with the present, out of respect to the petitioners, although he knew that their prayers could not be attended to, he had agreed to, or rather himself proposed, the appointment of a committee to examine that case. But now all enquiry was refused. He asked the right hon. gentleman to say, if he would consent to allay the exasperated feelings of the country; and if it was his intention, now when he saw the whole heart of England in confusion, to refer the matter to a committee to enquire if the complaints made were well founded, and, if it must be so, to tell the unhappy complainants there was no relief? Last year, upon a most extraordinary report as ever came from a committee, exchequer bills for the relief of our great manufacturers had been issued, the whole of which had been employed in continuing the labours of the poor. Of these bills one instalment had fallen due, and was paid—another instalment was due to-morrow. Now had not the right hon. gentleman been told, that so great was the distress of the persons assisted, that having expended the money in the creditable way he had mentioned, they were unable to make good or meet this payment? Birmingham, they were informed, had not suffered actual distress; but if not so, it was on the very verge of suffering. The House had been taught by the calculations of the right hon. gentleman to expect that the master manufacturer would be completely relieved, and instead of that they found he could not repay the money advanced for his aid! Was it not a time then to take these petitions into consideration? and did it not become the right hon. gentleman to consent to a committee to enquire into the effects of the Orders in Council, and to ascertain whether or not they were the causes of these calamities? He could not help thinking the hon. baronet had been rather indiscreet in the way in which he had spoken of America. If America was shut, Birmingham must be idle; and if idle, the population would starve. Her ports then must be opened, either by necessity or by policy. Policy had hitherto had a contrary effect; and he disliked the taunting tone in which it was said, that America could not even shave herself, or catch her mice without our aid. It was insulting to America, to

tell her, she was so dependant on Birmingham, that she could not do the most trifling thing without aid from that place. The hon. baronet might until lately have told us that America could not ride her horse, that she could not shoe her horse, that she could not drive a nail without Birmingham. America however had learned to ride and shoe a horse, without the aid formerly asked; and, if they looked at the latest orders to Birmingham, they would find that bridle-bits and nails were excluded from those orders, America having been induced to manufacture these articles herself. This shewed the progress of the arts in America—and so they would continue to progress, if Great Britain continued her policy; from making nails, she would arrive at the manufacture of the most important articles. In short, if they shut America now, they shut it for ever. For these reasons, and on account of all the frightful things passing in the interior of the country, he demanded enquiry.—The accounts from Sheffield, from Manchester, from Leeds, from Huddersfield, were such, that if the House read in the newspapers similar intelligence from Ireland, they would at once conclude that that country was in a state of insurrection and rebellion.—But in England these events did not seem to make the same impression, and because they were new and uncommon, they were not considered to be of the importance they were. Let them do something to soothe the feelings of the country, and not be told, when they pressed for enquiry, that they were using inflammatory language, and not falling into the proper loyal course; let them not be told that their petitions were treasonable, and that they were influenced by persons with whom they had never communicated: that they did not feel their sufferings, but were persuaded by party men to violent acts. And what were these violent acts? Petitioning parliament and the Regent for relief. He hoped, therefore, that the right hon. gentleman would declare, if a Committee was moved for, if he would consent to its appointment. One topic had this night surprised him—he alluded to the licences. He was astonished to learn, that after importing all the manufactures of France, a vessel was only required to export to the value of 5*l.* per ton of import, instead as he had before understood from the right hon. gentleman (Mr. Rose), of being obliged, in the first instance, to export to that amount, and, on returning, to put her im-

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ported cargo under the king's lock, till a cargo of equal value in colonial produce was exported. Now he saw that a ship might go out in ballast, and that both etiquette and reciprocity were sacrificed. He concluded by expressing his hope and expectation of some relief being granted, and his anxiety for an answer from the right hon. gentleman.

Sir C. Mordaunt said, that when a motion was made for a Committee, it should have his support.

Mr. Rose, in explanation, stated, that vessels could not go out in ballast—they must take out to the value of 5*l.* per ton, and if they imported wine or brandy, they must export an equal value of colonial produce.

The *Chancellor of the Exchequer* said, he did not rise to enter into any general discussion on the Orders in Council; but after what had passed, he felt himself called on to make a few observations. The hon. gentleman had stated, that the petitions came from persons who had an opportunity of forming their opinions by experiment, upon the evils resulting from the Orders in Council; now this he apprehended they could not; for the very point upon which he and the hon. gentleman were at issue at the present moment, was, whether those evils proceeded from the Orders in Council, or from other causes? It was true that these persons were competent to state the pressure which was felt in trade, but he knew not how they could decide whether that pressure would have been less if the Orders in Council had never existed: or whether in fact the Berlin and Milan Decrees would have produced the mischief without them. He would say, that not only our difficulties had not increased since the adoption of these Orders, but that the whole trade of the country was in a better state. He was surprised to find the hon. gentleman's knowledge of trade so far overborne by his zeal against the measures of government, as to induce him to say, the Orders in Council were to prevent neutrals from trading with the enemy. He would maintain that the end was to open all trade, even to France itself, if France would trade with Great Britain. France had prohibited trade with Great Britain, and Great Britain had prohibited all trade to France, but what should go through Great Britain. The result was a pressure upon France, such as must compel her to open her ports to the trade of this country. He

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would state that that very system of licences which was represented to be a departure from the Orders in Council, was a proof of their efficacy and effect.—He agreed that when the question of licenses was before the House, this matter would be better discussed. As to the importation of wine and brandy, the French were obliged to take a considerable quantity of sugar and coffee in return; and with regard to laces, muslins, and other articles of the kind, they would be brought in illegally if there was no allowance granted. He was surprised that so much misinformation should exist with respect to the outrages perpetrated in different parts of the country; and that they should be ascribed to the Orders in Council, to starvation, and such causes. But was it owing to the Orders, or to starvation, that the mills were broken down? Was such misconduct to be excused, defended, and palliated? Was it fair to hold out to the House that the destruction of the most valuable property which was daily to be deplored, was to be attributed to the Orders in Council? Was such language consistent with a due regard for the peace and welfare of the country? Was it not as indefinite as it was mischievous? As to the town from which this petition was presented, they had heard the statement of the hon. baronet, who had told them, that, at the present moment, the want of employment was not severely felt. The hon. gentleman had recommended that the subject should be referred to a select committee, but the House should recollect that this was a case involving a great political question, which it was not the practice of parliament to delegate to any circumscribed committee, but to determine in a committee of the whole House. A detailed examination of evidence did not appear to him to suit a subject of that kind. He knew what an effect the shutting of the American market must have; but would the hon. gentleman state whether they would repeal the Orders in Council, and what they would expect from such a step? There was one time when gentlemen thought that the Berlin and Milan Decrees were done away, but that time was past. No man who knew any thing of the subject would say so now. It was notified by France herself that they should continue to operate, that they should be considered as the fundamental law of the continent, until we abandoned our system of blockade; and until Great

Britain conceded the doctrine that free bottoms made free goods. There was no man in that House who lamented the distresses that were felt in the country more than he did, but would any man say he was prepared to give up our maritime rights, by which Great Britain had risen to power and consequence? When this declaration on the part of France, with respect to the continuance of his Decrees, was known in America, he was not without a hope that America would not charge upon this country an unnecessary strictness in the measures to which she had resorted. But whatever the effect in America might be, this country ought to know that those Decrees were in full force now, and were to continue so until Great Britain should yield up those privileges upon which her prosperity was so strongly founded. The hon. gentleman had asked, him on the subject of the exchequer bills granted as a loan to commercial men, whether he knew that the next instalment due to-morrow would not be paid? He would answer, that he anticipated no such circumstance; so far was he from thinking so, that he was firmly persuaded, the instalment would be faithfully discharged. He had no doubt, indeed, that it would be an accommodation to the gentlemen concerned, to be allowed a further time for the payment, but this, consistently with the public interests, he could not allow. If the Orders in Council were repealed before the Berlin and Milan Decrees, the consequence would be, that France would have her neutral trade open with America, while we were denied the trade of the continent of Europe. Unless the House was prepared to say that this would be judicious, the present did not seem to him to be a period in which it was possible to do away the Orders in Council.

Mr. Brougham expressed his surprise at the speeches of the Vice President of the Board of Trade, and the Chancellor of the Exchequer, at a moment when Petitions signed by so many thousands and tens of thousands were presented to the House. They had treated it as a new question. He remembered, when, two months ago, he had given the right hon. gentleman an opportunity of detailing his sentiments upon this subject, that he was referred to the returns of Mr. Irvine from the Custom-house docks, and told, upon their authority, that there was little or no misery. He hoped the House would not refuse to the people the poor

satisfaction of reasoning with them under their sufferings, and enquiring into the causes by which those sufferings were produced. It was not enough to give them a debate as an answer. The hardware manufactories were carried on by about 70,000 persons, not persons brought from the field, but men of skill, who had undergone a regular apprenticeship. If these men were sent to recruit our army, or to till the ground, that force would be irrecoverably disbanded, which was necessary to the working of the manufactories. At present the master manufacturers kept them working a little at the reduced wages of 12s. a-week, instead of from 25s. to 35s. This was not confined to Birmingham; in Leeds and other places they would find thousands out of employment. In Manchester alone, the poor who received relief from the parishes amounted to 25,000 persons, one-fourth of the population. As to the impropriety of allowing a committee on the subject, he would only ask, why might not the Orders in Council go before a select Committee as well as the question relating to the West India interests, in which evidence was gone into as to the evils that would arise from a war with America? That was a precedent which in a matter of such importance as the present, the House was called on to follow. He would tell the right hon. gentleman a remedy for the evils which now existed:—repeal the Orders in Council as far as regarded America, and if that did not satisfy her, it would at least satisfy the people of this country, that every thing had been done consistently with the safety of the realms. Then the House would be met by the affections of the country, not by such symptoms of discontent as had lately burst forth. He conjured the right hon. gentleman not to refuse enquiry to a petitioning nation, when they came to the House with cries and groans. He warned him that he would not be suffered—the nation would not allow him to go to war with America, more than they would suffer Mr. Pitt to do so. The right hon. gentleman might not wish to take this warning, but he was bold enough to predict, that many months would not pass before he would be convinced of the truth of it.

Lord Castlereagh said, he did not rise to discuss the policy and expediency of the Orders in Council, which would soon come under the consideration of parliament; that it had not come sooner, the hon.

gentleman must bear his portion of responsibility. For he deprecated the idea of calling the attention of the House from the true ground of the question, and imputing an inattention in government to the public misfortune. His right hon. friend had not said there was no commercial distress, but by comparing the trade and manufactures of the country with their state in former periods, had shewn that the evil was not so great as it was represented. The cotton manufactory had arisen to such a state of prosperity, as to export the amount of from 12 to 18 millions in one year. The natural consequence of this was to bear on the other exports. Was it fair to endeavour to give this country a dislike to the war, when the war could not be prevented; and was it not proper, with a view to obviating such a result, to shew that the depression of trade did not exist to such an extent as had been stated? He maintained that our gain by America upon the surrender of the Orders in Council, would be trifling in comparison with our loss of the trade of the continent, which would follow such a step. He believed, that the impressions out of doors were greatly exaggerated. Many parts, he would allow, suffered; but it was chiefly owing to the failure of the harvest, and not to the Orders in Council; and he could never believe that the people of this country were so dead to those maritime rights by which they had been elevated to their present state, as ignorantly to surrender them to the enemy, or even to neutral nations. The Berlin and Milan decrees were the fundamental law of France, not to be departed from, until we should abandon our Orders in Council, and what was called the new blockade, which was the measure of the late Mr. Secretary Fox, adopted in the year 1806. They were to be enforced against us as long as we refused to recognize the system of an armed neutrality. Such was the spirit of her last decree. He denied that there was any disinclination on the part of ministers to discuss the question; they had refused the committee before, thinking it to be unnecessary, but they were prepared to meet the subject on its own grounds. It was not by florid descriptions of distress that the country could be carried through its difficulties. His Majesty's ministers felt these difficulties as much as any one could feel them, but still they would not sacrifice the real interests of the country to any temporary

pressure; they acted upon more enlarged views, for the ultimate advantage and prosperity of the empire.

Lord Stanley observed, that something more was due to the Petitioners than merely to lay their petitions on the table; they ought to be taken into consideration. Under this impression, he should consider it to be his duty to make a motion on the subject. So far from encouraging the violent measures which had been pursued in various parts of the country, he strongly reprobated them; but conceiving that the Petitioners ought to be heard, he gave notice that he should, on Monday, the 27th, submit a motion to the House for that purpose.

Lord Binning, advertng to what had fallen from an hon. gentleman (Mr. Whitbread) respecting the commercial loan, the payment on the next instalment being due to-morrow, wished to state, as chairman of the committee, that great numbers of the subscribers would have been glad that the day of payment was further postponed; but they were ready nevertheless.

Mr. Whitbread, in explanation, observed, he had merely stated, that the right hon. gentleman had refused to give the extension to the subscribers. But whether there was more or less of distress he did not know.

Mr. Lyttelton wished to correct a wrong impression which might have been made by some statements in the Petition. He much doubted whether all the manufacturers were employed. He knew that previous to the meeting a kind of census had been taken of the number of manufacturers, and on the average nearly one-half were out of employ. It appeared also, that in some of the great manufactories only one-third were then employed; but in no instances were more than two-thirds employed.—With respect to parochial relief, there was no place in England where the poor were better off than in Birmingham. There were many friendly societies and clubs; from these they received considerable benefits. He understood, however, that in the course of a few months there would be out of employ 70,000 manufacturers. He was aware that those who stated facts of this nature might be taxed with having inflammatory designs—with want of patriotism; but the statement was true.

General Tarleton attributed the distress in trade to the Orders in Council; the highest and the lowest, the richest and the

poorest, were equally aggrieved by them. He condemned the manner in which the Petitions had been received, as turning a deaf ear to the complaints from all parts of the country. He had expressed his feelings in respect to the riots at Nottingham, and called for enquiry; but his call was disregarded, and what was the consequence? The spreading of those riots into other counties. Convinced of the necessity of enquiry, he should support the motion of his noble friend (lord Stanley) whenever it might be brought forward.

Mr. Marryatt thought that attempts had been made to inflame the minds of the manufacturers against his Majesty's ministers, by circulating a report that the licences were issued only for the purpose of increasing the fortunes of a few private individuals.

The Petition was then ordered to lie on the table.

SINECURE BILL.] Mr. Bankes moved the second reading of the Sinecure Bill.

The Chancellor of the Exchequer did not rise to oppose the progress of the Bill, but to state that he conceived it was not framed on a right principle, and therefore it was but fair to the hon. gentleman and to the House to state, that when the blanks were filled up, he should discuss the principle, and endeavour to convince the House that it was so erroneous that it ought not to be adopted.

Mr. Bankes thought the principle of the Bill was not objectionable. He stated that he should propose in the committee to fill up the blanks on that day se'nnight.

The Bill was then read a second time.

THE PRINCESSES ANNUITY BILL.] On the question for the third reading of the Princesses Annuity Bill,

Mr. Tierney rose, for the purpose of stating as shortly as he could, the objections that had determined him, however unwillingly, to resist the question just put from the chair. He acknowledged that from the very first there had been such a mystery thrown about the whole of the measures proposed to parliament for the establishment of the royal household, that he had had from the beginning no small distrust of them—that distrust, however, had not prevented him from looking at them again and again, and using all his industry to understand them—but in vain. He was as much in the dark as ever. The more he had considered the subject, the

more difficult he had found it. As to the mere increase of 6,000*l.* a year, in addition to the 30,000*l.* settled by the former Bill, to that he had no objection; but if the former Bill was the professed model of the present, why did the present Act depart from it in the most essential provision; the time at which the Act was to take effect? He could very well understand, how a Bill giving 36,000*l.* a year to the Princesses might be not essentially different from one giving but 30,000*l.* a year, but what he felt it difficult to comprehend, was, why the present Act was to take effect immediately, when the former was intended not to take effect till after the King's demise? Had any thing occurred since the enactment of the former Bill, that rendered an immediate provision necessary? Was there any thing in the present state of the country that made it desirable to increase its expenditure? One might suppose that the straitened state of our finances, the distresses of our manufacturers, and the calamities that marked the present times, did not particularly recommend the present as a period at which we should be more prompt to impose a charge upon the public than we were disposed to be at a former and much more favourable period. Unfortunately, however, the right hon. gentleman thought otherwise, and as he never thought without good reason, he would see why the right hon. gentleman thought so. He had given two reasons, one, the present state of the King; and the other, the present state of the Prince. The right hon. gentleman had spared himself the trouble of shewing why the indisposition of his Majesty made it necessary for the Princesses to have more money to spend, and he had been quite as satisfactory in his explanation of his second reason. For after having been urged in some measure to explain what he meant by the present state of the Prince, it turned out that the present state of the Prince meant neither more nor less than the present time of life of his Royal Highness, which was saying in other words, pretty much to this purpose, that because the ordinary revolution of twelve months had added one year to the age of the Prince Regent, parliament was bound to give annually to his Royal Highness 36,000*l.* a year of the public money. But the right hon. gentleman must excuse him if he said, that he did not believe that either of these reasons had any thing to do with the business. There must have been some other—one

that could not be disclosed—and was, therefore, most assiduously kept back. If there was no such secret reason, he asked if the Princesses were to have a separate establishment? he believed that they were not. He was convinced that those amiable personages would not hear of abandoning their royal father in his present calamity, and the Queen in her afflictions, in order to spend 36,000*l.* a year under another roof. Then where was the necessity of the grant, unless so give the Princesses an opportunity of laying by so much money every year? He would, however, put the question directly to the right hon. gentleman, and ask him, were the Princesses to have an establishment independent of the Queen? He put the question so directly, that he did not think the right hon. gentleman could help answering it. If so, what was to be done with the saving that must in that case arise out of the civil list, as to the general expenditure of the Queen's household? But, then, for want of something better they were told that the Princesses had arrived at a certain age; but had not the Princes, their royal brothers, arrived at a certain age? and was not this a reason as applicable to the one as the other, if admissible in the case of either? As to what had been said of the necessity of independent establishments for those illustrious personages, he contended, that this added nothing to their independence, but made them, as far as it could, dependent on the Prince Regent, at whose pleasure the annuities were to be paid. Another strong objection to the Bill was, the fund upon which these annuities were charged:—instead of being charged upon the hereditary revenue of the crown, they were charged upon the consolidated fund. Had they been charged, as they ought to have been, on the hereditary revenue, then, in case of the demise of the crown, the charge would have fallen as it ought; but according to the present Bill, there was no chance upon any event of a relief to this pressure upon the public. But his main objection was to the thing itself as a whole. There had been throughout the entire conduct of it a struggle to disguise, to confuse and to deceive. But the simple question was, if 184,000*l.* a year was not enough to provide for the comforts and splendour of the Queen and her royal daughters? The different items of their joint establishment already amounted to 184,000*l.* a year. Why then were they called upon to give

the Princesses 36,000*l.* a year? A good reason might be very reasonably demanded in such times; and what was the reason? Why, the time of life of the Prince Regent. Did this "time of life" break out as a new light upon his Majesty's ministers? Was it altogether a sudden discovery? Did they not know last year how old his Royal Highness would be this? And why did they not then propose this provision for the Princesses? For let the right hon. gentleman argue as he might, the Prince Regent was now but one year older than he was a year ago. It had been more than insinuated at the time of asking for more money for the King's household, that his Majesty was in a state which enabled him to derive gratification from his recognition of the persons in daily attendance upon him. Here he would put another plain question to the right hon. gentleman: Did he know that his Majesty, since the passing of that Bill, had any personal intercourse with one of the lords of the bed-chamber, or the grooms or equerries then voted? It was remarkable too, that the moment that Bill past, the Bulletins were reduced from once a week to once a month. It appeared, that on a recent occasion no groom was in attendance, and that an equerry had acted in his stead. What did all this prove? Why, that the whole scheme was little other than an ingenious mode of providing for those who had the good fortune to be in favour with the minister; and was this a way of answering the petitions they had heard read that day? But why antedate the Bill? Unless to give the Princesses an advance of 9,000*l.* Did they want this? Were they in debt or distress? If they were, in the name of truth and common sense why not say so at once, and come down with a message to the House to that effect; but according to the present mode parliament were telling the public as plainly as they could, that they did not think it necessary to explain why they voted away that money the country found it so difficult to contribute. He should propose, therefore, as an amendment, that instead of dating the Bill from the 18th of February last, it should be limited to take effect upon the King's demise. He again protested against the mode in which the whole business had been thrown upon the House, and hurried through it. He believed that there were very few of the gentlemen, then in the House, who knew the nature of the two Bills, which had

then been passed; there was something most suspicious in the whole transaction—there certainly was some curious secret at the bottom. He acquitted the royal Princesses of the slightest concert in the business. He had the highest personal respect for each and all of them. There had been, however, some way or other, a deal of juggling; one could see throughout the whole of the business an anxious and stirring bustle to divert people from the true scent. There certainly was a something that was to be concealed at the expence of revealing any thing else.

Before he sat down, he could not help adverting to the singular circumstances in which her royal highness the Princess Regent was left to appear before the country. It seemed as if her fate was already sealed, abandoned as she was by her once chivalrous champion, her old friend, her faithful counsellor. But if the right hon. gentleman had found reason to change his opinion with respect to her, why had the Princess Charlotte of Wales, the future hope of England, been altogether overlooked in these arrangements? She was now bordering upon her 17th year, and not, either from her rank, prospects, or time of life, wholly exempted from the right hon. gentleman's consideration.

The *Chancellor of the Exchequer* replied to part of the objections of the last speaker, and to part only, because he conceived that no inconsiderable portion of the arguments made use of by the right hon. gentleman were wholly inapplicable to the question immediately before the House. The greater part of the speech they had just heard was to points which had already gone by, and which the House had already decided upon. With respect to the suggestion of the propriety of creating a new fund by the abolition of the King's Household, he put it to the House, whether if the King's state of health was wholly irrecoverable, they would hear of any proposition to abolish during his life those provisions they had already made for his comfort and splendor, as far as either could be consulted. But even if the reduction did take place, he denied that the saving resulting therefrom would do more than provide for two of the Princesses. As to the fund upon which it was charged, the objection could have scarcely been meant in seriousness, because it was notorious that the hereditary revenues had merged in the consolidated fund. He certainly could not consent to the change

proposed, as to the time at which the Bill was to take effect. There was a great difference between the Princesses setting up a separate establishment (of which he believed they had no intention) and being compelled to confine their residence to Windsor for the remainder of their lives, under any circumstances whatever. As to their dependence on the Prince Regent, he contended that though the annuities were nominally during pleasure, they were to all intents and purposes effectually during life.

Mr. Whitbread said, that the speech of the right hon. gentleman was much more remarkable for what it had omitted to say, than for any thing it had said. The two most important points in the speech of his right hon. friend (Mr. Tierney) had been passed over without the slightest allusion to either. He did not censure the right hon. gentleman for not attempting to do what he might have found it very difficult to do well—in certain cases where no ingenuity could defend, perhaps silence was at once the most prudent and the most candid extenuation. Be the motive what it might, it was certain that the right hon. gentleman did not say one word respecting either the Princess of Wales or the Princess Charlotte of Wales. Why the minister thought it prudent to say nothing upon a subject of such general importance he should not pretend to explain, but he questioned much if the country in general would be disposed to put the best construction upon a silence that was at best suspicious.—With respect to those topics upon which the right hon. gentleman was not afraid to speak out, he (Mr. Whitbread) did not think him much more successful than those upon which he had been silent. He had not explained why he did not, in the first instance, upon the memorable 18th of February, state at once the whole system of this increase of the household establishment. He had said, that the hereditary revenue merged in the consolidated fund, and that therefore it was immaterial upon which fund those annuities were charged; never was there a greater fallacy in point of argument; because, though it had so merged, was there a doubt that upon the demise of the king, the hereditary revenues only would be answerable to the claims of the annuitants, provided those annuities had been charged upon that fund? He had told them that the Princesses approved of this increase. Of that there could be no doubt; but did

the right hon. gentleman, when he consulted those royal personages on the propriety of enlarging their annual draughts upon the public purse, did he then submit to them a faithful representation of the present state of the civil list, and the present miseries of the manufacturing part of their royal father's subjects? If he had not done so, he had not done his duty.—With respect to the establishment of his Majesty, neither he nor any of his friends wished to detract from whatever might be necessary to the King's comfort or splendour. But why pay four grooms of the chamber, for instance, when, of those four, there was but one could do the duty—three of them, general Legge, sir Harry Neale, and general Campbell, being now abroad on foreign service? Did not these appointments shew that ministers themselves did not think so many necessary?—For his part he thought some of those officers might well be paid out of the civil list—on the same principle that he had thought that the Prince Regent ought to have paid his own private secretary out of his own privy purse.—“I have heard,” said Mr. Whitbread, “that the Queen is about to hold a drawing-room, of course no hopes can now exist of his Majesty's recovery, because if there were any, such a step, I presume, would not be resorted to; but in case that drawing-room is held, I would wish to know, is there to be any public appearance of the Princess of Wales?—This is no private concern—the public have a right to demand why the acknowledged consort of their Regent does not appear in public as such. No affectation of delicacy can be permitted to stand in the way of a nation's anxiety upon a question of such national importance.—If any man can satisfy the public upon this topic, it is the right hon. gentleman. They know him to have been at one time the zealous adviser and devoted adherent to the Princess of Wales. They believe him to have conscientiously undertaken her defence, to have written her vindication—to have published it. That vindication is said to have involved in it an attack upon her royal consort. It is known to have been an attack upon his Royal Highness, and the Regent's first minister is known to have been the author of it, and after he had published it, after it had been read by one and by one hundred, it was bought up at an enormous expence; bought up by the private secretary of the right hon. gentleman. I ask him now,

does he retain his former opinions of the unexceptionable conduct of the Princess of Wales? I ask him if he did not lately in this House solemnly record his confirmation of that opinion; and if it is now what it was the other night, I call upon him to explain, if he can, his apparent desertion of her just claims to that respect, notice, provision, and consideration due to her? These are questions, which, as he values his own consistency, as he values the character and claims of the Princess, and as he respects the Prince his master, he is bound to answer.

Sir *J. Newport* opposed the Bill, and asked why the right hon. gentleman had deviated from the former proceeding of charging the annuity to the Princesses on the hereditary revenue, for the purpose of charging it on the consolidated fund.

The *Chancellor of the Exchequer* replied, that in the former Bill the grant was to take place at a future period, but that in the present Bill it was to take place immediately, and must therefore be charged on the fund immediately applicable. In 1806, when an additional grant was made to the Princes, the ministers of that day naturally proposed that it should be charged on the consolidated fund; and he believed no instance could be found of a grant which was to take place immediately having been charged on the hereditary revenue.

Mr. *Courtenay* confirmed the statement just made by the right hon. gentleman, and supported the Bill.

Mr. *Tierney* said, that the present grant might be charged on that part of the consolidated fund, which was constituted by the hereditary revenue.

The *Chancellor of the Exchequer* explained the manner in which the hereditary revenue was merged in the consolidated fund, and which rendered it impossible to make a charge on any distinct part of it.

Mr. *Tierney* merely wanted the grant to be charged on the hereditary revenue, so that on the demise of the crown, parliament would be enabled to ascertain what were the exact sums with which the revenue was burdened.

Mr. *Rose* repeated the observations of the *Chancellor of the Exchequer*. The hereditary revenue of the crown was by no means so large as gentlemen opposite seemed to think.

Mr. *Tierney* said, that it was 1,400,000*l.* per annum.

Mr. *Rose* discovered the right hon. gen-

tleman's mistake. He had confounded the hereditary revenue of the crown with the temporary revenue which had been settled on all the sovereigns of the country from the time of queen Anne, at the period of their accession. The hereditary revenue did not at present exceed 350,000*l.* a year.

Mr. *W. Smith* opposed the Bill. He solemnly declared that from his soul he pitied the right hon. gentleman, when he reflected upon the feelings he must have experienced before he could have made up his mind to come down at such a time with such a proposition to the House.

Mr. Secretary *Ryder* was surprised that now, for the first time, the hon. gentleman should have found an opportunity of giving vent to his feelings, upon so late a stage as the third reading of the Bill.

Mr. *W. Smith* begged pardon for interrupting the right hon. gentleman, but he had fallen into a slight mistake. Instead of this being the first time that he (Mr. *Smith*) had spoken against the Bill, it so happened that it was only the fourth!

Mr. Secretary *Ryder* had no hesitation in acknowledging the error he had fallen into, in supposing that the speech he had just heard was the first made by the hon. gentleman; but however mistaken he might be as to him, he believed he was accurate in saying that many gentlemen at that end of the House, who had been that night so vehement against the Bill, particularly one honourable gentleman then in his eye, had not spoken against the Bill in any of its former stages.

Mr. *Whitbread* begged pardon of the right hon. gentleman, but if he was the person alluded to, it was another slight mistake, for he had resisted the Bill in every stage.

Mr. Secretary *Ryder* contended, that there had been objections thrown out in the debate of that night, which they had never before heard of. He thought the claims of the Princesses irresistible, whether in reference to themselves personally, or as the daughters of their afflicted and venerable monarch—He did not court that sort of popularity to which certain gentlemen laid exclusive claim; he was persuaded however that the measure was a popular one. As to the Princess of Wales, she already had an independent provision, which the Princesses had not. He hoped that his right hon. friend would continue true to the confidence reposed in him, and not be tempted by any threats or attacks to

deviate from that proper and respectful silence which he had hitherto maintained upon the subject. (Hear! hear! from the Opposition side of the House.) He was not afraid to repeat what he had said. As to the drawing-room, it was the Queen's right to hold one, if she pleased. It had been stated as extraordinary, that her Majesty was about to hold a drawing-room. He did not know what view the hon. gentleman entertained of the case, but his Majesty, notwithstanding his unfortunate affliction, was still King; of course her Majesty was still Queen of these realms, and under those circumstances he knew not who ought to hold a drawing-room unless it were her Majesty.

Mr. *Whitbread*, in explanation, denied having asserted, that it was improper for the Queen to hold a drawing-room. All that he said was, that the Princess of Wales ought to be placed in such a situation, as to enable her Royal Highness also to hold a drawing-room.

Lord *A. Hamilton* observed, that the additional sum granted in the early part of the present session to her Majesty, was so granted on the express representation that the Princesses were to remain with her: and now they came forward for separate establishments. The establishment of the Princess of Wales was only 5,000*l.* a year, and therefore he did not think any delicacy was exhibited towards her Royal Highness by those who talked so much about it.

The Bill was read a third time.

The *Chancellor of the Exchequer* then introduced several new clauses. On that being proposed by which the commencement of the operation of the Bill was fixed for the 18th of February last,

Mr. *Whitbread*, advertent to what the right hon. Secretary of State had said of delicacy, expressed his surprise that the right hon. Secretary had made this observation, at the same time that he must be aware of the course and conduct pursued by the right hon. gentleman (the Chancellor of the Exchequer) who sat next him, on an occasion highly interesting to that illustrious individual. He would ask if there had not been at a former period a solemn proceeding on the case of the Princess of Wales—if that case had not been referred by his Majesty to his ministers for their advice—if on that advice, her Royal Highness had not been received at court—if the right hon. gentleman's right hon. friend had not then caused to be

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printed, at a private press in his house, a large number of copies of a detail of the transaction, for the purpose of giving them to the world? Why the work had been suppressed, he did not know. But he knew that several copies which had got abroad were bought up at a large expence, and he believed that certain advertisements offering rewards to those who would bring copies of the work to one *Lindzell*, a bookseller, proceeded from the right hon. gentleman or his agents. When these facts were notorious, he knew not why members of that House were to be arraigned for asking questions; certainly in one point of view, of a private nature, but of very great national importance in another.

Mr. Secretary *Ryder* said, he did not rise for the purpose of answering the questions which had been put by the hon. gentleman. When he spoke of the conduct pursued by him and his friends, on the present and on similar occasions, when he had talked of delicacy, he did not flatter himself that his observations would be attended with much effect. But he thought it his duty to state his opinion, which he did not look upon as that of a single individual; for, if he knew any thing of the feelings of the public on this subject, there was no part of the conduct of the hon. gentlemen opposite which had created more disgust and disapprobation than the manner in which they had introduced this matter to the House. Though he by no means expected that what he had before said would have any weight with them, still he was surprised that the hon. gentleman should put a question to him on a business, with all the details of which he must be aware he (Mr. *Ryder*) was not acquainted. But, after the opinion he had given on the subject, if he even were perfectly master of those details, he should conceive himself as acting with extreme inconsistency if he returned an answer.

Mr. *Tierney* proposed his amendment, that instead of "the 18th February, 1812," "the demise of his Majesty" should be substituted.

On this amendment the House divided; Ayes 35, Noes 101, Majority 66.

The original clause was then agreed to; and the Bill was passed.

GOLDSMID'S ESTATE BILL.] On the motion for the third reading of this Bill,

Lord *Folkstone* having adverted to the little attention which had been paid to it

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progress through the House, expressed himself anxious to receive some information as to the grounds on which it was introduced. He understood that Mr. Goldsmid, at his death, was very much indebted to government, as well as to private individuals, and ministers had thought proper to forego the priority of right which the crown could claim for the payment of debts due to it, and remained content to come in with the other creditors. Had an extent issued, he was informed, the public debt would have been entirely liquidated; but by the course which had been pursued, the dividend would be only 19s. in the pound, the same as paid to the general body of creditors.

Mr. A. Baring said, that Mr. Goldsmid's principal property consisted in 4,000,000*l.* of Omnium, which had been placed, as deposits, with several persons. If this had been sold precipitately, or to satisfy an extent, the loss would have been very great. He was possessed also of some real estate, but it was evident no person would become the purchaser of it, while an extent from the crown was hanging over the property. Under these circumstances, government had conceded their claim, and the Bill was introduced.

Mr. Johnstone thought the third reading might be postponed for a few days, without inconvenience, to give an opportunity for the printing of the Bill.

Mr. Baring had no objection to the proposition, if such was the feeling of the House.

The *Chancellor of the Exchequer* observed, that the printing of the Bill would give no information as to the grounds on which ministers had thought fit to give up the right of the crown to priority of payment. If that information were desired, he would cheerfully accede to the production of any documents from the Treasury, that might be deemed necessary; but this need not be a bar to the third reading of the Bill.

Lord Folkestone expressed himself satisfied with the explanation.

It was agreed that the third reading should take place on Wednesday next, and that the Bill should be printed.

GOLD COIN AND BANK NOTE AMENDMENT BILL.] On the motion that the report of this Bill be brought up,

Lord A Hamilton expressed his surprise that the motion should be made at so late an hour, when the discussion was likely to occupy so much time. He, as well as

several other hon. members, had a clause to propose.

Mr. Parnell complained, that he had not yet had an opportunity of fully expressing his opinion on the measure.

The *Chancellor of the Exchequer* observed, that the hon gentleman's memory appeared to be much weaker than those of other hon. members. He, recollected, that the hon. gentleman had, on a former night, honoured the House with a very excellent, but not a very short argument on the Bill.

Mr. Parnell said, the speech alluded to, bore on the measure only as it related to Ireland.

Lord Folkestone thought, as the Bill was introduced to re-enact a law which had expired three weeks ago, and as no evil, that he had heard of, had arisen from its cessation, the delay of a few days could produce no inconvenience.

Sir J. Newport urged, as a principal reason for postponing the report, that if brought up now, it would certainly create a debate, and probably a very long one, which, at so late an hour, would be highly improper. He should therefore, move, "That the House do now adjourn."

On this a new discussion arose, after which a division took place, when the numbers were,

For the Adjournment 35

Against it 101

Majority 66

Sir J Newport, however, expressing his determination to reiterate the question of adjournment, the reception of the report was postponed to Monday, and the House adjourned.

HOUSE OF LORDS.

Monday, April 20.

THE GENERAL PETITION OF THE ROMAN CATHOLICS OF IRELAND.] The Earl of Donoughmore. —My lords; although it would be obviously improper and unsuitable to the occasion, that I should now anticipate the interesting discussion, for which the House had been summoned for to-morrow, it would not be in my mind, less a failure of respect, to that most important class of his fellow-subjects, whose Petitions I am preparing to offer to your lordships' notice, if the person to whom they were committed, should satisfy himself, with throwing them on your lordship's table, unaccompanied by any observations on my part.

I shall therefore beg leave to observe, in the first place, that, next to the redress of their grievances, there is no feeling so strongly impressed on the minds of my Catholic countrymen, as that, whatever Petitions shall be presented to Parliament as theirs, should be framed in such a manner, as to remove the possibility of any doubt, whether or not they expressed the real feeling of that description of his Majesty's subjects.

Accordingly, such arrangements have been made, as have enabled me, to pledge myself to your lordships, from my own knowledge of the fact, that notwithstanding the interruptions which the Petitioners have experienced, the Petitions, with which I am myself charged, and those which will be presented to the House by other noble lords, previous to the discussion, contain the full and complete expression, of the undivided sentiment of all my Catholic countrymen.

I shall next intreat your lordships' particular attention, to the subject matter of those Petitions, which will now be read at your lordships' table. In them your lordships will find the case of the Petitioners ably argued—the leading objections to their claims ably refuted—with all becoming deference to this House; and without forgetting that due respect, which the petitioners owe to their own important position in the state.

His lordship then presented the General Petition, which was read at the table as follows:

THE HUMBLE PETITION of his Majesty's Subjects professing the Roman Catholic Religion in Ireland:

Humbly Sheweth,

That we, your Petitioners, beg leave most respectfully at this important conjuncture, to solicit the favourable attention of this honourable House to the peculiar condition of the Roman Catholics of Ireland, under the severe penal laws now in force against them.

If we appear to this honourable House to persevere, with more than common earnestness in our humble solicitations for the abrogation of these laws, and for a free admission to the blessings and benefits of the civil constitution of the country, we trust that our perseverance will be viewed, rather as a proof of our just title to the liberty which we seek, and of our sincerity in its pursuit, than as the result of any sentiment, hostile to the peace or true interests of this empire.

We should sincerely dread, lest our silence might be construed, by a faithful but a feeling people, as an indication of despair—and would not lightly abandon the pursuit of a laudable and most important object, strengthened as we are, by the concurring support of our generous and enlightened fellow-countrymen, as well as by the fullest approbation of our own conscientious feelings.

We beg leave humbly to state to this honourable House, that we have publicly and solemnly taken every oath of fidelity and allegiance, which the jealous caution of the legislature has, from time to time, imposed as tests of our political and moral principles. And although we are still set apart (how wounding to every sentiment of honour!) as if unworthy of credit in these our sworn declarations, we can appeal confidently to the sacrifices, which we and our forefathers have long made, and which we still make (rather than violate conscience by taking oaths of a spiritual import contrary to our belief) as decisive proofs of our profound reverence for the sacred obligation of an oath.

By those awful tests we have bound ourselves, in the presence of the all-seeing Deity, whom all classes of Christians adore, "to be faithful, and bear true allegiance to our most gracious sovereign lord king George the 3rd, and him to defend to the utmost of our power against all conspiracies and attempts whatsoever against his person, crown, or dignity; to use our utmost endeavours to disclose and make known to his Majesty, and his heirs, all treasons and traitorous conspiracies, which may be formed against him or them, and faithfully to maintain, support, and defend, to the utmost of our power, the succession to the crown in his Majesty's family, against all persons whomsoever—that by those oaths, we have renounced and abjured obedience and allegiance unto any other person, claiming or pretending a right to the crown of this realm; that we have rejected, as unchristian and impious to believe, the detestable doctrine, that it is lawful, in any ways, to injure any person or persons whomsoever, under pretence of their being heretics; and also that unchristian and impious principle, that no faith is to be kept with heretics; that it is no article of our faith, and we renounce, reject, and abjure the opinion, that princes excommunicated by the Pope and council, or by any authority whatsoever, may be deposed or murdered

by their subjects, or by any person whatsoever.—That we do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence within this realm.—That we firmly believe, that no act, in itself unjust, immoral, or wicked, can ever be justified or excused by, or under pretence or colour that it was done for the good of the Church, or in obedience to any ecclesiastical power whatsoever.—And that it is not an article of the Catholic faith, neither are we thereby required to believe or profess, that the Pope is infallible, or that we are bound to any order, in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order; but that, on the contrary, we hold, that it would be sinful in us to pay any respect or obedience thereto.—That we do not believe that any sin whatsoever, committed by us, can be forgiven at the mere will of any Pope, or of any priest, or of any person or persons whatsoever; but that any person who receives absolution, without a sincere sorrow for such sin, and a firm and sincere resolution to avoid future guilt, and to atone to God, so far from obtaining thereby any remission of his sin, incurs the additional guilt of violating a sacrament.—And, by the same solemn obligations, we are bound and firmly pledged to defend, to the utmost of our power, the settlement and arrangement of property in Ireland, as established by the laws now in being.—That we have declared, disavowed, and solemnly abjured, any intention to subvert the present Church establishment, for the purpose of substituting a Catholic establishment in its stead.

“And we have solemnly sworn that we will not exercise any privilege, to which we are or may become entitled, to disturb and weaken the Protestant religion or Protestant government in Ireland.”

We can with perfect truth assure this honourable House, that the political and moral principles, asserted by these solemn and special tests, are not merely in unison with our fixed principles, but expressly inculcated by the religion which we profess.

And we do most humbly trust that, as professors of doctrines, which permit such tests to be taken, we shall appear to this honourable House to be entitled to the full enjoyment of religious freedom under the happy constitution of these realms.

Frequently has the legislature of Ireland

borne testimony to the uniform peaceable demeanour of the Irish Roman Catholics, to their acknowledged merits as good and loyal subjects, to the wisdom and sound policy of admitting them to all the blessings of a free constitution, and of thus binding together all classes of the people by mutual interest and mutual affection.

Yet may we humbly represent to this honourable House, and we do so at this perilous crisis with sincere regret and deep solicitude; that the Roman Catholics of Ireland still remain subject to severe and humiliating laws, rigidly enforced, universally felt, and inflicting upon them divers injurious and vexatious disabilities, incapacities, privations, and penalties, by reason of their conscientious adherence to the religious doctrines of their forefathers.

For nearly the entire period of the last twenty years, the progress of religious freedom has been obstructed: and, whilst other Christian nations have hastened to unbind the fetters imposed upon religious dissent, the Roman Catholics of Ireland have remained unrelieved.

The laws, which unequivocally attest our innocence and our merits, continue to load us with the pains of guilt; our own consciences, the voice of mankind, acquit us of crime and offence. Our Protestant fellow-citizens press forward with generous ardour and enlightened benevolence to testify their earnest wishes for our relief. Yet these penal laws, of which we humbly complain, cherish the spirit of hostility, and impede the cordial union of the people, which is at all times so desirable, and now so necessary.

These penal laws operate for no useful or meritorious purpose. Affording no aid to the constitution in Church or State—not attaching affection to either; they are efficient only for objects of disunion and disaffection.

They separate the Protestant from the Catholic, and withdraw both from the public good; they irritate man against his fellow-creature, alienate the subject from the state, and leave the Roman Catholic community but a precarious and imperfect protection, as the reward of fixed and unbroken allegiance.

We forbear to detail the numerous incapacities and inconveniences, inflicted by those laws, directly or indirectly, upon the Roman Catholic community, or to dwell upon the humiliating and ignominious system of exclusion, reproach, and suspicion, which they generate and keep

alive.—Perhaps no other age or nation has ever witnessed severities more vexatious, or inflictions more taunting, than those which we have long endured; and of which but too large a portion still remains.

Relief from these disabilities and penalties we have sought, through every channel that has appeared to us to be legitimate and eligible. We have never consciously violated, or sought to violate, the known laws of the land; nor have we pursued our object in any other manner, than such as has been usually adhered to, and apparently the best calculated to collect and communicate our united sentiments, accurately, without tumult, and to obviate all pretext for asserting that the Roman Catholic community at large, were indifferent to the pursuit of their freedom.

We can affirm, with perfect sincerity, that we have no latent views to realize; no secret or sinister objects to attain. Any such imputation must be effectually repelled as we humbly conceive by the consideration of our numbers, our property, our known principles and character.

Our object is avowed and direct; earnest, yet natural: it extends to an equal participation of the civil rights of the constitution of our country, equally with our fellow-subjects of all other religious persuasions: it extends no further.

We would cheerfully concede the enjoyment of civil and religious liberty to all mankind; we ask no more for ourselves.

We seek not the possession of offices, but mere eligibility to office, in common with our fellow-citizens; not power or ascendancy over any class of people, but the bare permission to rise from our prostrate posture, and to stand erect in the empire.

We have been taught, that, according to the pure and practical principles of the British constitution, property is justly entitled to a proportionate share of power; and we humbly trust, that no reasonable apprehension can arise from that power, which can only be obtained and exercised through the constitution.

We are sensible, and we do not regret that this equality of civil rights (which alone we humbly sue for) will leave a fair practical ascendancy, wheresoever property shall predominate: but whilst we recognize and acknowledge the whole-someness of this great principle, we cannot

admit the necessity of the unqualified disfranchisement of any part of the people, in a constitution like that of these realms.

We are gratified by the reflection, that the attainment of this our constitutional object will prove as conducive to the welfare and security of this great empire, as to the complete relief of the Roman Catholic community: that it will secure the quiet and concord of our country, animate all classes of the people in the common defence, and form the most stable protection against the dangers which heavily menace these islands.

For we most humbly presume to submit it to this honourable House as our firm opinion, that an equal degree of enthusiasm cannot reasonably be expected from men, who feel themselves excluded from a fair participation of the blessings of a good constitution and government, as from those who fully partake of its advantages; that the enemies of this empire, who meditate its subjugation, found their best hope of success upon the effects of those penal laws, which, by depressing millions of the inhabitants of Ireland, may weaken their attachment to their country, and impair the means of its defence: and that the continued pressure of these laws, in times of unexampled danger, only spreads the general feeling of distrustful alarm, and augments the risks of common ruin.

To avert such evils, to preserve and promote the welfare and security of this empire, and to become thoroughly identified with our fellow-subjects in interests and affection, are objects as precious in our eyes, upon every consideration of property, principle and moral duty, as in those of any other description of the inhabitants of these realms.

If, in thus humbly submitting our depressed condition, and our earnest hopes to the consideration of this honourable House, we would dwell upon the great numbers and the property of the Roman Catholics of Ireland, already so considerable and so rapidly increasing, and to their consequent most important contributions to the exigencies of the state—we would do so, not with a view of exciting unworthy motives for concession, but in the honest hope of suggesting legitimate and rational grounds of constitutional relief.

And deeply indeed should we lament, if these very recommendations should serve only to hold us out as the objects of harsh suspicion at home, or of daring attempts upon our allegiance from abroad,

May we then, with hearts deeply interested in the fate of this our humble supplication, presume to appeal to the wisdom and benignity of this honourable House on behalf of a very numerous, industrious, affectionate, and faithful body of people—the Roman Catholics of Ireland.

And to pray, that this honourable House may be pleased to take into their favourable consideration the whole of our condition—our numbers, our services, our merits, and our sufferings.

And, as we are conscious of the purity of our motives and the integrity of our principles, we therefore humbly pray to be restored to the rights and privileges of the constitution of our country; to be freed from all penal and disabling laws in force against us on account of our religious faith; and that we may thereby become more worthy as well as more capable, of promoting the service of the crown, and the substantial interests of this great empire. And your Petitioners will ever pray, &c.

The Earl of *Danoughmore*.—My lords; the only remaining observation, with which I shall trouble the House, is in reference to that Petition which I have had the honour of presenting, from the county and city of Kilkenny. The Petition was not originally intended for me, but had been, most properly, committed to a noble friend of mine, (the earl of Ormonde) particularly connected with that county and city—and whose name stands conspicuously high in the peerage of his country. It is but justice to my noble friend, to express to your lordships, the concern which my noble friend feels, that he is now prevented by indisposition, from giving that personal support, which he has never failed to afford, to the claims of his Catholic countrymen in that House, on every former occasion. To myself, entrusted as I am with the honour of presenting to your lordships the general Petition of the Catholic body, my noble friend has confided that of the county and city of Kilkenny, which he was not enabled to lay on their lordships' table himself; and by the proxy, which the noble earl had signed, in his bed, he has entrusted to me, the power of giving parliamentary effect, to his known sentiments, on the important subject, which will soon engage your lordships' attention.

The Petition of the county of Kilkenny being the same as the General Petition of the Catholics of Ireland, was not read, but ordered to lie on the table.

Earl Grey rose for the purpose of presenting a Petition from his Majesty's subjects professing the Roman Catholic religion in England. This Petition referred to one which had been presented in a former session, and which it prayed might be taken into consideration. It was signed by all the English Roman Catholic peers, as well as by the most wealthy and respectable private gentlemen of that persuasion, and might be considered as speaking the sense of the whole Catholic body in England, than whom, he did not think a more meritorious body existed, nor one more worthy the consideration of the House; both on account of the hardships under which they suffered, and the unshaken loyalty they exhibited on all occasions.

The Petition was then read, and ordered to lie on the table.

Earl Grey said, he had a number of Petitions to submit to the House of a different description from those which had already been presented; they were signed by many thousand persons from the northern parts of the kingdom, namely, Yorkshire, Durham, Hull, Berwick, Sheffield, &c. The subscribers were not Roman Catholics only, but comprised many of the persons attached to the various sects of Dissenters from the Protestant religion, and others who were members of the Established Church. They prayed that those disabilities, which were visited on their religious tenets, should be abolished, as well from principles of justice towards the petitioners, as for the security of the empire at large. He felt happy in congratulating the House and the country on such liberal conduct, which, by creating unanimity, would enable the empire to bring to a glorious conclusion the dreadful struggle in which they were engaged.

Petitions from the different places mentioned by the noble earl, were then read and laid on the table.

The Marquis of *Lansdowne* presented Petitions from Bristol, Exeter, and Taunton, which were laid on the table. The noble marquis then observed, that it was his duty to present two other Petitions, under circumstances very different from those which had preceded them, and to which he was extremely desirous of drawing the particular attention of the House. The one was from the Protestants of Ireland; the other from Protestant noblemen and gentlemen, resident in this country, but connected by birth or property with the

sister island, and calling on the legislature to admit their Roman Catholic brethren to a full participation in civil and political rights. These Petitions were clearly distinguishable from those which had been already presented, inasmuch as the petitioners were not claiming a boon for themselves, but for others; considering, that the concession of the Catholic claims did not merely interest a part, but the whole of the empire. He was instructed to state, that the Petition from the Protestants of Ireland was signed by nearly 8,000 names, and there were other Protestant petitions, which had not yet reached this country, that bore also an immense number of signatures. And he felt it his duty to state, though not exactly from his own knowledge, which was not sufficiently accurate on the subject, that the signatures to those Petitions, which were about to be read, represented decidedly a majority of the proprietary of Ireland. He wished it was in his power to induce their lordships, when the Petitions were laid on the table, to examine the names annexed to them. They would there observe a great number of the most distinguished members of their lordships' House, and a large proportion of the principal landed proprietors of Ireland, who conceived that the security of the landed property which they possessed, was intimately connected with the progress made in behalf of their Roman Catholic fellow-subjects. They would also find the signatures of the principal monied capitalists of Ireland, who were convinced that the future beneficial employment of their capitals was essentially connected with the success of the application contained in those Petitions. They would also find the names of many of the leading members of the military and naval professions, who, in their own behalf, disavowed any wish to possess the monopoly of these professions, conceiving that they might be exercised with more advantage to the public, by the admission to their benefits of persons of all religious persuasions. They would also recognize among those signatures (to their honour be it spoken), a great body of the parochial clergy of Ireland, of the Established Church, who felt that the safety of that Church would be essentially furthered and promoted, by calling out in its defence the increased exertions of the empire, which would be produced by the extension of the same privileges to every class of society. He would not now say more

on this subject, because he could not do it without anticipating the debate of to-morrow evening; but it was under the conviction that the highly respectable names attached to those Petitions would have due weight with their lordships, that he had ventured to call their attention to them.

The Petitions were then read and laid on the table. Petitions from the county of Kerry, the Queen's county, the city and county of Limerick, and the county of Carlow, were also read and laid on the table.

Lord Grenville said, that their lordships had now heard the Petitions of their fellow subjects, in number nearly one-fourth part of the population of this kingdom, praying to be relieved from disabilities and penalties which they felt to be highly injurious and oppressive to themselves. They had also heard the Petitions of their Protestant brethren, recommending to our favourable consideration this their just cause, their loyal and reasonable request, and praying to be permitted to renounce the privileges which they exclusively enjoyed, to break down the barrier which we professed to maintain for their security, and to share with the whole body of their countrymen all the rights and all the duties of freemen.—He had now, he said, to lay before their lordships a Petition of a very different complexion, a Petition from the University of Oxford, praying that this relief may not be granted to their fellow-subjects, but that we may steadily continue to refuse ourselves to attend to the Petitions presented to us in their behalf, whether from Catholic or Protestant, in England or in Ireland. In the relation in which he had the honour to stand towards that respectable and learned body (a high honour he esteemed it), he had been requested to present this Petition to the House. With that request he had not hesitated to comply. He respected that difference of opinion which he lamented, and he gave the petitioners full credit for the same desire with which he himself was animated for the maintenance of our established religion and government, though he regretted that the course which they recommended for that purpose was such as must, in his judgment, infallibly lead to the overthrow of both.—But in presenting this Petition, in which from the official stile of the corporate body from which it came, his own name was necessarily included, he owed it to their lordships and himself

to express respectfully, but explicitly, his total dissent and disapprobation of its object. He owed it also to others to state, that although he presented this Petition as the act of that respectable and learned body, the act of the majority, and therefore of the body; it was not now as formerly, their unanimous act. It had on the contrary been opposed by persons highest in station on the spot: by the the Vice-Chancellor of the University, by both her proctors, by several heads of houses, and by a body of individuals as respectable for learning, integrity, and wisdom, as could be found in any assembly. But when he stated this, let it not be supposed that he meant to derogate from the just weight due to the Petition. The petitioners prayed their lordships not to listen to the Petitions of their fellow-subjects. He prayed them to receive and to entertain this Petition—to consider well its facts, its arguments, and its prayer; to add to these all the authority which it justly derived from the high character of the body from which it proceeds, and then to put them in the balance against the complaints and grievances of millions, the prayers both of Catholic and Protestant in Ireland; and God grant, he said, that your decision may be such as may best promote the maintenance of those interests for which he confidently trusted the supporters and the opposers of this Petition are equally solicitous.

The Petition was read, and ordered to lie on the table.

HOUSE OF COMMONS.

Monday, April 20.

PETITIONS FROM PRESTON, DUMFRIES, BRISTOL, BILSTON, AND KINGSTON UPON HULL, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several inhabitants of the borough of Preston, in the county of Lancaster, was presented and read: setting forth,

"That the Petitioners, having observed that an application has been made to parliament, on behalf of the East India Company, for a renewal of their Charter, they feel it to be due to themselves, and the country at large, respectfully to submit to the House their sentiments on the subject; and that the Petitioners are humbly of opinion, that the monopoly of the trade to the East Indies, by an incorporated Company, with exclusive privileges, to the prejudice of private British merchants

and traders, is impolitic and unjust in its principle, and has been practically detrimental to the interests of the nation at large; and that a considerable proportion of the Petitioners are engaged in trade and manufacture, and consequently feel the effects of the existing restraints upon commerce; and they are not induced, by those restraints only, to call the attention of the House to the subject of the monopoly in question; in common with the rest of their fellow subjects, the Petitioners submit, with patience, to such restrictions as necessarily arise from the actual state of Europe, and wish not to purchase an open trade by dishonourable concessions to an enemy, or to any foreign country whatever, feeling, as they do, a perfect confidence that those restrictions will be removed as early as possible, consistently with the honour and safety of the British empire; but they are sincerely convinced, upon grounds of general policy and actual experience, that the Charter of the East India Company ought not to be renewed, and that the commerce of those extensive territories, in which that Company has now the exclusive right of trading, ought to be free and open to all his Majesty's subjects; and that the extinction of this monopoly appears to the Petitioners to be equally desirable, with a view to the interests of all classes of society, excepting only those persons who are connected with the East India Company, experience having shown, that in this commercial country, the value of property of every description is considerably influenced by the existing state of trade and manufactures; and that, as the Petitioners see no national ground for prohibiting the open commerce of British subjects in general with any country of the East, so neither are they aware of any such ground for limiting the exports or imports to any particular port in the United Kingdom; and they trust in the wisdom and firmness of parliament for the exclusion of all partial considerations on any of these points; and praying, that the House will take these matters into their serious consideration, and not permit any Bill to pass which shall have the effect of excluding private British merchants and traders from a free and open commerce with any of those countries in which the present Charter of the East India Company enables them to monopolize the trade, or which shall limit the exports or imports to or from the East to any particular port or ports in Great

Britain; and that no restrictions whatever may be imposed in any of these respects, but such as shall unequivocally appear to the House to be clearly and absolutely necessary upon public and national grounds of expediency."

A Petition of the provost bailies and councillors of the royal borough of Dumfries, in Scotland, for themselves and as representing the burghesses and community of the said borough, was also presented and read: setting forth,

"That, by various charters granted at different æras, sanctioned by the parliament of Great Britain, extensive powers and privileges have been conferred upon a society of merchants, denominated Merchants trading to the East Indies; and as all the liege subjects of his Majesty have been restricted and prohibited, under severe pains and penalties, from exercising the extension of commerce in those parts of the world situated to the Eastward of the Cape of Good Hope, that Company has solely monopolized the whole trade and commerce in those distant and extensive regions, to the exclusion of the other subjects of Great Britain, although the Petitioners have reason to believe that the flags of other nations in amity with Great Britain, have been permitted by our government to exercise such an extensive freedom of commerce; and that the Petitioners farther understand, that means are now using by the East India Company for a renewal of their unlimited Charter, which is said to expire in or about the month of March, 1814; but, as the Petitioners conceive such renewal would be nothing more than a continuance of degradation to the commercial spirit of the nation, they have now met in common council, and, after mature deliberation, have resolved humbly and constitutionally to solicit and petition the House, either to refuse entirely a renewal of the Charter to the East India Company, or to grant it under such provisions and limitations as will permit the subjects of this kingdom to extend its commerce, without being subjected to the pains and penalties hitherto imposed in favour of the Company, or at least to put them on the same commercial footing as the subjects of other states not at variance with the interests of Great Britain; and praying the House to adopt such measures, either in the granting under limitations or entirely refusing a renewal of the Charter to the East India

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Company, so as that British subjects may have such a participation of the trade and commerce of those parts of India as may be consistent with the honour justice and commercial interests of this great nation."

A Petition of several merchants, traders and other inhabitants of the city of Bristol, was also presented and read; setting forth,

"That the Petitioners, in contemplation of an intended application to the legislature, by the East India Company, for a renewal of their exclusive privilege of trade, and confident in the justice and wisdom of the House, the natural and powerful guardians of the people's rights, deem it their indispensable duty thus early to represent to the House, that the full and free right to trade to and with all countries and people in amity with their sovereign, and more particularly with those countries and settlements acquired and maintained by the efforts and valour of the forces of his Majesty, is the undoubted birthright and inheritance of the people of this empire; and that the exclusive privilege of the East India Company is a manifest infringement of that right, from which many and great evils have resulted; and that the Petitioners further humbly submit to the House, as a sound and incontrovertible principle, that, in this enlightened age, commerce can neither be benefited nor extended by monopoly; and that all ideas of direct participation by the public treasury, in behalf of the nation, in the profits of trade, as a compensation or purchase for such monopolized commerce, must and ever will be vain and illusory; and the petitioners humbly adduce the disappointed expectations of the nation and the legislature, in regard to the East India Company, in complete illustration of this principle; and they refer to the information before the House, to shew that the trade carried on by the East India Company has decreased at the very time when, by British exertions, its field has been extended, and itself protected from enemies and hostile rivalry; and that foreigners, by the advantages of free and unfettered exertions, have been at the same time successfully competing with the East India Company, not only in the trade of the Company's own settlements, but also in the trade to China, to a vast amount, whilst such trades have been long and obstinately denied to the subjects of the United Kingdom; and that

(2 H)

the petitioners further humbly shew to the House, that the prospect of pecuniary participation held out to the country in 1793, not only has not been realized, but has been converted into repeated claims by the East India Company on the public purse and credit; and that further and still greater pecuniary assistance is now required, to avert embarrassments in which the East India Company must otherwise soon be involved; and that the Petitioners rely, with the utmost confidence, that the House will disregard any arguments that may be adduced in favour of the East India Company's exclusive privilege, which would, if admitted, apply with equal force against the freedom of any and of every branch of British commerce, the whole of which might thus be paralyzed by monopoly (as this great arm of our strength has been) to the ruin of our naval greatness and the consequent downfall of our independence; and that the Petitioners beg leave humbly to submit to the House, that of all the effects of monopoly none is so injurious as its confinement of commerce to a particular port; and that the principal out-ports of the United Kingdom have an undoubted right to equal privilege of trade with the port of London, bearing, as they do cheerfully, their full and common proportion of the burthens of the state, and the privations which the unexampled state of Europe has brought upon the trading and manufacturing classes of the community; and that trade, when confined to a single port of a great empire, must of necessity, from being cramped and narrowed, languish and decline; and that great and expensive improvements have of late years been made in most of the principal out-ports, with a view to the extension of commerce and to the accommodation of a larger class of ships; and that the known loyalty, integrity, and opulence of the merchants resident in the out-ports, afford ample security for their care of the vital interests of their country, in respect of its national revenue, which the Petitioners, with deference, assert, is as diligently and faithfully collected, and as cheerfully paid, in those out-ports, as in the port of London; and that the Petitioners, however far from having a wish to deprive the East India Company of any right or claim they may have on the justice or liberality of parliament for indemnification, are most anxious that all such claims may be fairly examined, and fully and liberally remunerated; but further

humbly submit to the House, that the means of such remuneration should arise from a fair and equal impost on the trade in question, and should not be attempted by restrictions, which can only serve to shackle and injure commerce, and to harass and perplex the merchant, without any solid benefit to the East India Company; and praying that the House will refuse to comply with any application that may be made by the East India Company for a renewal of their exclusive privilege, and will leave the trade to India and China fully and freely open to the enterprize, skill, and capital of the merchants of the United Kingdom, subject only to such salutary laws for its regulation and protection as the legislature, in its wisdom and paternal care, may deem necessary; and that the Petitioners may be allowed to be heard, by themselves, their counsel and agents, at the bar of the House, in support of the objects of their Petition."

A Petition of the master wardens and commonalty of merchant venturers of the city of Bristol, was also presented and read; setting forth,

"That the Petitioners observe, with the deepest concern, that the East India Company have petitioned the House for a renewal of their Charter, which will expire in the year 1814, upon the principle, either in whole or in part, of their retaining exclusive possession of the trade to the vast regions contained between the Cape of Good Hope and the Straits of Magellan; and the Petitioners humbly represent, that the right to a full and free participation of trade and commerce to all parts and places possessed by, or in amity with, the United Kingdom, belongs in common to all persons and every port within these realms; and that, to restrict the exports or imports to and from so large a portion of the habitable globe as the territories of India singly to the port of London, is not only a manifest breach of this general right, but moreover must cramp and confine the trade itself, discourage the industry of his Majesty's subjects, and keep down the amount of the national revenue; and that the energy, spirit and enterprize of British merchants, when unfettered, will not only tend to enlarge the present means of diffusing British articles throughout India, the islands and the vast dominions of China, but probably lead to the discovery of new channels and hitherto unexplored regions of commerce, which

are objects of essential importance to the country at this time, when the greatest part of the continent of Europe is barred against British merchants and British manufactures; and that, subsequently to the act of 1793, namely, in 1797, it was deemed expedient to grant to the United States of America, and to such nations of Europe as were in amity with his Majesty, complete freedom of trade to the whole of the East India Company's settlements, from which, and from her intercourse with China, America has not only supplied her own wants, but it is a notorious fact that, from the same source, the British West India colonies have been inundated, and the Mediterranean, and other parts of Europe, have been partially supplied with East India and Chinese products and manufactures; and that the fears which the East India Company express, that a free, open, and unrestrained intercourse between British merchants and the subjects of China, may lead to quarrels, and ultimately to the total stoppage of that branch of commerce, are proved to be groundless, by the experience of a long course of years, during which the subjects of the United States of America have enjoyed free intercourse with China without any such consequence having resulted therefrom; and that the port and harbour of Bristol has, at a vast expence, been rendered capable of receiving and keeping afloat ships of very considerable burthen; and the Petitioners think themselves warranted in asserting that the duties of customs and excise are as well secured, and as freely and faithfully paid and collected in that port as they can possibly be in the port of London; and praying, that the House will not consent to renew to the East India Company any of those exclusive commercial privileges which are contained in the 33d of his Majesty, c. 52; but that, from the expiration of that act, the trade to all parts of the East Indies, the Eastern Archipelago, and China, may be as freely and fully open to all persons and ports of the United Kingdom as it at present is exclusively to the E. I. Company, and solely to the port of London."

A Petition of the Directors of the Bristol Dock Company, for and on behalf of the said Company, was also presented and read; setting forth,

"That the petitioners, under the authority of an act passed in the 43d year of his present Majesty, have constructed

works of great magnitude and expence, whereby the port of Bristol is converted into a floating harbour; and many great inconveniences, to which the trade and shipping were before subject, are now effectually remedied; and that looking forward to the period when the East India trade should be thrown open to the exertions and industry of all his Majesty's subjects, the Petitioners formed their locks upon a scale calculated for the admission of vessels employed in such trade, and of much larger size than was necessary for the shipping usually frequenting the port; and that, in the completion of a work of so large an extent, the petitioners laid out a sum not less than 600,000*l.* for which vast expenditure they had no hopes or prospect of ever receiving an adequate return, except from the increase of the trade expected to result from the improvement; and that their expectations in that respect have been hitherto entirely disappointed, owing principally to the unexampled state of affairs on the continent of Europe, whereby some branches of trade heretofore enjoyed by the port of Bristol have been lost, and others materially lessened; and in consequence thereof, the duties made payable by parliament to the petitioners, as a remuneration for their advances, have fallen far short of the intent of the legislature, and are not at this time equal to pay a dividend of two and an half per centum on the total expenditure; and that, in the present general and alarming depression of trade throughout the kingdom, it is peculiarly fortunate for the country that the approaching termination of the East India Company's Charter will afford a resource of a most extensive and ample nature, and perfectly independent of the power or controul of the common enemy, by enabling parliament to throw open to the individual exertions of all his Majesty's subjects a trade hitherto confined to the exclusive enjoyment of a single company; and praying, that the House will refuse to sanction any Bill for the renewal of the East India Company's Charter, and thereby afford to the petitioners and to the country at large that relief which the peculiar circumstances of the times seem imperiously to require."

A Petition of several manufacturers and other inhabitants of the town and neighbourhood of Bilston, in the county of Stafford, was also presented and read; setting forth,

"That in consequence of the system which prevails upon nearly the whole of the continent of Europe of excluding British produce, and of the unfortunate misunderstanding with the United States of America, which has caused their ports to be closed, the trade and manufactures of the petitioners have undergone a very severe and unprecedented depression; and that when the petitioners observe the inflexible perseverance with which the French ruler pursues his plan of annoying, and, if possible, annihilating the commerce of this country, and likewise the overwhelming influence he has obtained in almost every part of Europe, they cannot but regard as hopeless any prospect of re-admission to the continental markets; and that the petitioners are decidedly averse to any tame and ignominious submission to the enemy by which the honour of the nation might be sullied and its interests compromised, but they feel it a duty to express their full conviction, that unless some modes of commercial relief be adopted, the welfare and independence of the empire will be materially endangered; and it appears to the petitioners that the East Indies would afford an extent of country and population fully equal to the consumption of all the British manufactures that are at present shut out of their usual markets; therefore they cannot but lament the existence of a monopoly which excludes the subjects of this country from their just and natural rights, and which, in common with all other commercial monopolies, is totally inconsistent with the principles of sound justice and policy; and that moreover the petitioners humbly state their firm opinion, that the advantages arising to the East India Company from their exclusive commercial privileges are very trifling, if any; that the mercantile interests of the kingdom at large are thereby exposed to severe and mischievous privations, that at the same time other nations are suffered to engross the benefits of the Eastern trade, and that consequently the abolition of the East India monopoly would be a most desirable measure; and that the petitioners therefore most earnestly implore the House to take into immediate consideration the present distressed state of the trade and manufactures of the country, and to adopt such measures as will be most conducive to their relief, by opening the Eastern markets to the spirit, enterprise, and ingenuity of the empire at large."

A Petition of the dock company at Kingston-upon-Hull, was also presented and read; setting forth,

"That, in the 14th year of his present Majesty, an act passed for making a dock, and building a public quay, or wharf, at Kingston-upon-Hull, and for the better securing his Majesty's revenues of customs; and that, soon after the passing of the said act, the petitioners, at great expence, made an extensive dock for the accommodation of shipping, and built a commodious quay, or wharf, along the side thereof accordingly; and that, in pursuance of an act passed in the 42d year of his present Majesty, the petitioners also lately, at an expence of upwards of 220,000*l.* made another dock at the said port, with an entrance into the same, capable of admitting his Majesty's ships of war of 50 guns, together with other extensive quays and wharfs contiguous thereto; and that, by the terms of the last-mentioned act, the petitioners are required to make another dock, and to provide further accommodation for the trade of the said port, whenever a specified increase of tonnage of the shipping resorting to the same may take place; and that, in addition to the works above enumerated, the petitioners have erected several substantial and convenient warehouses immediately contiguous to the said legal quay, for the reception of goods, wares, and merchandizes imported into, and intended for exportation, from the said port; and that the circumstance of the port of Hull being situate on the river Humber, and communicating, by navigable rivers and canals, with the manufacturing counties of York, Lancaster, Nottingham, Derby, Leicester, and Stafford, and with most other parts of the kingdom, would enable the merchants and ship owners of Hull to participate, with peculiar advantage to themselves, and with perfect safety to the revenue in the trade to the East Indies; and praying, that the House will be pleased to adopt such measures as they may deem expedient, to obtain to the port of Hull a participation in the trade to the East Indies, and particularly to the empire of China, on the expiration of the East India Company's Charter.

A Petition of the guild or brotherhood of masters and pilots, seamen of the Trinity-house of Kingston-upon-Hull, was also presented and read; setting forth,

"That, however necessary the monopoly of the East India Company might have been at the time it was originally granted, by which that Company became possessed of the whole trade of India, China, and other countries comprehended in their Charter, it is now become inexpedient, as a measure of general national policy, is unjust and extremely prejudicial to the interests of all other British merchants and ship owners; and that, in case the trade to the British dominions in India, and to the countries eastward of the Cape of Good Hope, were opened to all the subjects of Great Britain, immense advantages and wealth would be derived therefrom, the advantages of which are at present actually enjoyed by all other flags except the British; and that, as every port of this United Kingdom is equally entitled to the advantages of foreign trade, any regulations which would, in future, confine the trade of the East to the port of London, would be unjust, and contrary to those wise principles of sound policy by which this nation is governed, and a violation of the just rights of every other sea port in the kingdom; and that the petitioners are fully persuaded, that the expiration of the charter of the East India Company, in 1814, affords a promising and most fortunate opportunity of granting to the subjects of this country a relief which government has not had in its power, for many years, and which, if lost, will be attended with incalculable disappointment to the fair hopes and expectations of the country; and praying, that the House will be pleased to adopt such measures, as in their wisdom shall seem meet, in opening this most important branch of commerce to all the subjects of the nation, upon the expiration of the present existing Charter of the East India Company."

A Petition of the merchants ship owners and other inhabitants of Kingston-upon-Hull, was also presented and read; setting forth,

"That the approaching expiration of the East India Company's Charter having occupied the attention of the House, the petitioners beg leave respectfully to state their hopes and wishes on that important subject; and that the petitioners are fully persuaded, that if the trade to the British dominions in India, and to the immense and populous countries included in the Charter, were laid open to the skill, in-

dustry, and capital of private merchants, it would be conducted with a degree of energy and economy which a large public body is incapable of exercising, new channels of commerce would be discovered, the consumption of our manufactures extended, and our shipping increased, to the advantage of the parties concerned, and the permanent augmentation of the wealth, power, and resources of the British empire; and that the extensive and flourishing commerce of the United States of America with India and the Chinese empire, exhibits a proof, that these expectations of advantage from the exertions of private individuals are not unfounded; and they beg leave respectfully to represent, that any partial modification of the trade would, in their opinion, fall extremely short of those advantages which would accrue from the total abolition of the existing monopoly; and they do, therefore, humbly and earnestly deprecate any continuation of the Company's exclusive privilege to the commerce with China: they conceive that the British character forbids the injurious suspicion that their intercourse with the Chinese would be disturbed by a conduct deficient in discretion or propriety, whilst the Americans, and other nations, have maintained a similar intercourse without interruption: they also think, that no greater necessity for monopoly exists with a view to secure the duties on tea, than those on sugar, rum, or any other highly-taxed article of importation; and the petitioners hope and trust that no reason can be found, either in justice or in policy, for the exclusion of the out-ports from the benefit of the trade with India, and situate as the town of Hull is, on a great estuary, the Humber communicating by inland navigation with the principal manufacturing districts, and with a large portion of the kingdom, they entertain no doubt that the facilities these circumstances present would enable the petitioners to engage in it with advantage to themselves and to their country; and the petitioners further humbly request, that the House will not impose any restraint on the British merchant respecting the burthen of any vessel to be employed in the trade, but leave the choice to his own judgment and discretion; and that the commercial distresses which the petitioners have, in common with the rest of the kingdom, experienced from the enormous power and influence of the enemy on the continent of Europe,

furnish abundant reasons for applying to the House, with earnestness and with confidence, for the purpose of opening new channels of intercourse with those distant regions, where the success of his Majesty's arms, by sea and by land, has established British dominion on a permanent basis, and has secured British commerce against all danger of hostile interference; and praying the House to adopt such measures as to their wisdom shall seem meet, for granting to all his Majesty's subjects, from and after the expiration of the East India Company's Charter, a free trade to and from India and its dependencies, and to and from the empire of China."

And the said Petitions were ordered to lie upon the table.

PETITION OF SAMUEL FLETCHER, BREWER, OF WESTMINSTER.] Sir Francis Burdett presented a Petition from Samuel Fletcher, brewer, maltster, and potter, Thames Bank, Westminster, which was read; setting forth,

"That the petitioner was a brewer, maltster, and potter, at Thames Bank, in the liberties of Westminster, in the parish of Saint George Hanover square; and that, in the spring of 1809, three of the Excise officers entered, and were, in the absence of the petitioner and his workmen, detected in robbing the premises; complaint was made to the surveyor, who reported them to the Board of Excise, who soon after removed him and appointed another in his stead; between this new officer, and one of the old offenders, were planned a conspiracy for the ruin of the petitioner; no less than seven informations were invented, and laid, between the 5th of October and the 29th of November 1809, the penalties of which amount to 1,000*l.*: had all these accusations been true, instead of being most palpably false, the actual fraud on the revenue could not amount to one single farthing; and that the petitioner was summoned to, and, on the 26th of February, 1810, without legal form, or the benefit of judge, jury, counsel, or witnesses, tried at the Excise office, on the naked testimony of their own officers, who had made no scruple to rob the accused in open day; not only these officers, but the court, acknowledged that no fraud could be committed or intended by the first pretended offence; and, in their evidence on the second and third informations, five wilful perjuries were proved by their own officers, who were brought for-

ward to support their testimony; in the fifth two more perjuries were intended, but the charge relinquished from the dread of detection; and that the fifth was for the very common misfortune of an accidental leak in a cistern; in their evidence to the sixth and seventh information, not only are there four most gross perjuries proved on the oath of the best witnesses; but, in the nature of things, the facts they swore to are impossible to be true; yet one of the commissioners told the petitioner that the evidence was clear enough to convict him of murder, and, without allowing a reply, proceeded to levy fines for every one of these pretended offences, though no shadow of guilt appeared, to the amount of 112*l.* 5*s.*; a Petition was next morning sent to the Board, praying for a fair trial, or further investigation; this Petition was answered in the evening of the same day, by seizing all the property, a cargo of porter intended for exportation, and all the business was stopped, though there were ten times the amount of these penalties in other property on the premises; to prevent the sale, and destruction of the goods, the penalties were all paid, and costs, reserving the right of appeal on the two last cases, the penalties on them amounting to 100*l.*; and that this court of appeal, which consisted of six commissioners and counsel, and the same attorney who presided at the Excise office 6th February, met in Westminster the 23d of May; the three informers were now again brought forward and sworn; the same man who had been concerned in the robbery (a fact he here confessed,) was here also the favourite and leading evidence; the perjury at the Excise office was confessed, and new ones committed; but, incredible as it may appear, the party accused, who was allowed a sort of defence in London in February, was not now, in a court to which he was sent to for redress in Westminster in May following, suffered to open his mouth in reply, or defence, nor yet call a single witness in his behalf; it is therefore needless to add, that the original judgment was confirmed; and the solicitor to the Excise now drew from his pocket two long bills, and presented to the appellant's attorney, being the entire expence, and that doubled, of assembling and holding their court; and that these informers, being thus encouraged and paid, they thrice attempted, between this time and the latter end of July, to renew their informations and

plunder; their labours, however, here ended with a surcharge of 113 bushels of malt more than their own account proves to have been made; and that, on the 14th of May, 125 barrels of porter were shipped, the debenture 113*l.* was in due time applied for, it was refused, and no cause was to this hour assigned; application was twice made to the Board by Petition, who pretended to refer to the officers, who declared it strong beer, and entitled to the drawback, but at last the Petitions they pretended were lost; and that a Petition was now advised to be sent to the Treasury; it was presented there at 11 o'clock 26th July, accompanied with an affidavit, proving the facts related; there it was registered, "a conspiracy of Excise officers," and referred to the Board of Excise for their reply; but, between 7 and 8 o'clock the same evening, they send an extent on the premises, commanding to seize all the property, and imprison the petitioner for 280*l.* 3*s.* 10*d.* which they pretend was due for duty on beer, the amount of the beer duty on the Excise books, including the strong beer duty for that exported, was 93*l.* 15*s.* 6*d.* the drawback, which became due on the 15th of June, was 113*l.*; if this beer which their own officers declared and allowed to be exported as strong beer, was so, a fact which admits of no controversy, they having seized the property for strong beer duty, then the balance due from the Excise to the petitioner was 19*l.* 4*s.* 6*d.*; but if, on the contrary, this beer could now be proved to be not strong, but table-beer, then more than 11*l.* could not be due to them on that score; the affidavit, however, which accompanied the Petition, settles this point; and that, after waiting seven weeks for an answer from the Treasury, a memorial was sent there, complaining also of the new outrage of the extent; after waiting six weeks for an answer to this, a letter was written to the secretary of the Treasury, briefly stating the whole of the grievance; a note was soon after received from him, saying, that the Board of Excise had promised to make their official report shortly; after another pause of about a month, a personal application was made to the secretary, to request the favour of an explanation of the meaning of the word "shortly;" a gentleman now came forward, and said, "Mr. Harrison is engaged; he desires me to say, that the Board of Excise can justify their proceedings, and are now in search of evidence to justify

them in withholding the payment of the drawback; a Petition was now (in August) presented to the Prince Regent, but no redress, nor even a reply, was ever obtained; in the mean time, both body and goods were, by the command of the writ (a copy of which is preserved,) doomed for four months to lay under the interdict of this barbarous inquisition, no provision made for the sustenance of man, woman, or child, nor even for the live stock on the premises, some have perished for want, some were stolen, and some sold, and the money taken by the officers; and finally, after remaining between five and six months on the premises, the effects were sold off, in one lot, for 140*l.* and the lease of 62 years became forfeit to the landlord; thus is all which has been expended in this concern under the pledged security of public law, and which amounts to upwards of 5,000*l.* destroyed by a species of crime the most disgusting in its nature, and terrible in its consequences, the world ever saw; and that the petitioner, being thus despoiled of his property, debarred the means of self-defence, and cut off from every hope of legal redress for the grievous injuries he has sustained, at last appeals to the House; in the hope that there is still a responsible power remaining somewhere; and that it is impossible that the persons and property of Englishmen should be wholly without the means of protection in their own country; therefore the petitioner humbly prays the House to take his case into consideration, and afford him that redress which the national honour and justice may in their wisdom appear to demand."

Ordered to lie upon the table.

PETITION OF THE ROMAN CATHOLICS OF ENGLAND.] Mr. Elliot. Mr. Speaker; I hold in my hand a Petition from a most respectable, most loyal, and, if honourable ancestry be an object of consideration, a very illustrious portion of his Majesty's subjects—I mean the Roman Catholics of England, who have been pleased to express a wish, that I should be the bearer of their claims to this House. It must be to them, as well as to you, Sir, and to the House, a melancholy recollection, that two years ago these claims were in the hands of one, who had the means of doing ample justice to any cause, however great and momentous its importance.

Of those splendid talents and powerful and efficacious virtues, we are now bereft

—by dispensations which we are not permitted to scrutinize; though, to the narrow views of human judgment, it would seem there never was a period in our history, when the country stood so much in need of such eminent and distinguished qualities, to sustain it against the awful tide of danger which is beating against it. The details of the grievances, of which the petitioners complain, will be found in the petition presented by Mr. Windham, in the year 1810; and it is not my intention, on this occasion, to expatiate at any length on the various topics which grow out of this most copious and productive subject. It may, nevertheless, be not improper for me to recal to the recollection of the House, that the Roman Catholics of England stood in a different predicament from that of any other persons of the same persuasion in any part of his Majesty's dominions. In Canada, the Roman Catholics are on the same footing with their Protestant brethren. In Ireland (I lament to say it,) there are still restrictions on the members of the Roman Catholic Church; but the Catholics of England labour under disabilities, from which their fellow subjects, of the same faith in Ireland, are exempt. The English Catholic cannot vote for a member of parliament; he is shut out of all corporations; he is inadmissible to degrees in the universities; he is not allowed to act as a magistrate; he is excluded from all offices, both civil and military, and so is incapable of serving his Majesty in any commission, either in the army or navy. This is the situation or rather this is the state of disfranchisement of persons, whose names cannot be read by Englishmen without kindling, in their breasts, emotions connected with the memory of the past achievements and ancient renown of the country. This is the predicament of the descendants of those, who, when the Roman Catholic faith was the established religion of the realm, were the most strenuous opposers of foreign influence; and who were not only the proud assertors of the external independence of the kingdom, but were among the founders of our domestic rights and liberties. This is the condition of those, whose ancestors, even in the midst of the religious feuds and animosities which succeeded the Reformation, were still admissible to the martial professions; and not only accompanied, but in some instances led our fleets and armies to battle and to victory, against invading enemies of the Catholic persuasion.

The petitioners state, that "in affection to his majesty's sacred person and government; in zeal for the cause and welfare of the country; in detestation of the views and designs of any foreign power against the dignity of the crown, or the welfare or independence of the kingdom; the English Roman Catholics yield to no portion whatever of his Majesty's subjects." They therefore solicit, respectfully solicit, Sir, to participate in the remaining rights and privileges of the constitution, that they may be enabled more efficaciously to rally round the fortunes of the country, in this hour of its need and peril. With these views, they throw themselves with confidence on the wisdom, the policy, the justice, and I hope I may add, on the hearts and feelings of the members of this House. I propose now only to move, that the Petition do lie upon the table; not meaning, however, to deprive myself of the right of adopting further proceedings on it, in case it should hereafter appear to me to be my duty to do so. I therefore, shall move, that the Petition be now read, previous to its being laid on the table.

The Petition was then read; setting forth,

"That the petitioners humbly beg leave to represent to the House, that, at the time of his Majesty's accession to the throne, the laws in force in this kingdom against persons professing the Roman Catholic religion were sanguinary and oppressive; and that several of these laws have been repealed by the acts of the 18th and 31st of his present Majesty, but that many are still in force against them, from the effects of which they severely suffer; and that the only ground alleged for continuing these laws in force against them is, their adherence to their religious principles; but the petitioners humbly beg leave to represent to the House, that this adherence ought not in justice to expose them to penalties or disabilities, as they hold no principle which is adverse to his Majesty's government, or the duties of good citizens; they have taken the oaths and signed the declarations prescribed in the acts which have been passed for their relief, and in them have explicitly disclaimed every principle inconsistent with their duty to their king or their country that has ever been charged upon them; and the petitioners submit to the House, that their uniform and irreproachable conduct, and particularly their refusal of those oaths, the taking of which would at once

place them on a level with their fellow subjects, are much stronger and more decisive proofs of the integrity of their principles than can be manifested by any oath or declaration whatsoever: and that, in affection to his Majesty's sacred person and government, in zeal for the cause and welfare of the country, in detestation of the views and designs of any foreign power against the dignity of the crown, or the welfare or independence of the kingdom, the English Roman Catholics yield to no portion whatever of his Majesty's subjects; and praying, that the House will take into consideration the penalties and disabilities to which the English Roman Catholics are still subject, and grant them such relief as shall in their great wisdom be deemed expedient." Ordered to lie on the table.

PETITION FROM THE PROTESTANTS OF IRELAND IN FAVOUR OF THE ROMAN CATHOLICS.] Mr. *Maurice Fitzgerald*, knight of Kerry, rose and said:—Sir; I am charged with the Petition which is to be presented to this House from the persons whose names are signed thereto, being Protestant land-owners in Ireland. Some circumstances that have occurred regarding it, render it necessary that I should trouble the House with a few words. I would first take the liberty of stating why it has devolved upon so insignificant an individual as myself, to present one of the most important Petitions that can be brought under the consideration of parliament. It may be known that the member for Dublin, at whose suggestion this Petition was first set on foot, was immediately afterwards obliged to leave Ireland, and it devolved upon me to undertake the task he reluctantly resigned, and to be instrumental in its progress, and I am consequently in possession of circumstances important to be known, previous to the approaching discussion of the Catholic Question. The Petition is from the Protestant proprietors of Ireland, and is perfectly unprecedented not only in amount of property, belonging to individuals, who have annexed their names at any former time to a Petition on this subject, but it is the first instance of any general application on the part of the Protestants of Ireland on behalf of their Catholic fellow-subjects. To establish the importance of the Petition, it is sufficient for me to state what, without an approach to exaggeration, I may confidently assert, that it expresses the sentiments of a decided majority of the Protestant pro-

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prietors of Ireland.—[Hear, hear!]—I am desirous of repeating the fact, because if it be thought that I overstate it, I am desirous to be contradicted, that I may resort to the proofs with which I am provided. I repeat, therefore, that the Petition expresses the sense of a decided majority of the Protestant proprietors of Ireland, both landed and commercial. I feel it right further to explain, that this Petition, although most respectably and numerously signed, by no means contains the names of all those Protestants who are favourable to Catholic Emancipation on principle; and I wish, with the utmost confidence in the fact, to mention the reason why the names of several who are favourable to it on principle, do not appear to this address. A great number of Protestants in Ireland did entertain a notion that it would be proper, in any Petition presented to parliament, to include conditions and securities. A large proportion, therefore, declined affixing their signatures, because it did not comprize the stipulations they required to be inserted. I wish further to state, that many of those whose names are affixed, do not desire Catholic Emancipation unconditionally; but it appears to all who have signed, that it was not a proper matter to be mentioned in a Petition, but that it ought to be left to the wisdom of parliament; there are numbers who would willingly have added their signatures, if those conditions had been inserted. Many who expressed themselves decidedly favourable to the object in view, have refused to sign it, on account of the violence of the recent differences between the Irish government and a part of the Catholic body.—I think I have now stated enough to entitle this Petition to the serious consideration of parliament. I have, however, to add, what I am sorry to be obliged to mention, that against the Petition (conducted in the most moderate manner, intentionally guarded against the slightest imputation of an attempt to agitate the public feelings) all the influence that could possibly be used by the Irish government has been directed. (Mr. W. Pole said "No, no;" very audibly across the House.) The right hon. gentleman says No; and having so asserted, I feel myself bound to go into proofs of the fact. I say again, notwithstanding this contradiction, that the influence of government has been most notoriously and indecently directed against the Petition I hold in my hand. The office

of sheriff, a place of most sacred trust, and of the utmost importance to the due distribution of justice, has been tampered with. Persons who had been promised to be made sheriffs for the ensuing year, have been set aside, because the individual recommending one of them had signed the Protestant Petition. I say, that another person who was actually understood to be appointed, did signify to the Irish government, that having also signed the Petition, he apprehended he should be deemed an improper person to fulfil the duties, as his predecessor was rendered incapable on a similar account. I know that individuals possessing public situations, I will not say directly, but indirectly, received menaces from the government, that they should forfeit their places if they favoured the Petition. I know, too, that the partizans of government have held out threats to people, if they suffered the Petition even to remain in their houses; the terrors of inflicted vengeance have been used in the most undisguised manner for the avowed purpose of defeating the Petition. Under all these circumstances it stands a proud proof of the rapidly extending liberality of the Protestants of Ireland in favour of Catholic Emancipation. It is to me an extreme gratification to state, that the most numerous signatures are obtained from the north of Ireland, the inhabitants of which are peculiarly Protestant. I am the more proud of it, because it shews a change of opinion in the only part of Ireland formerly most opposed to this measure: it is a change to be well considered by his Majesty's ministers, because it proves that the Protestants as well as Catholics are now united in the cause. I have said that it is signed very numerously; but the names are not nearly so numerous as they would have been, if the Petition had been circulated among the lower classes. In several districts the signatures only of persons of considerable property are affixed to it, a circumstance very much to be regretted; because, in a case like the present, it would have been desirable to have ascertained thus unequivocally the sense of the middle, as well as the higher order of Protestants. The persons who had the management of it were, however, desired to apply only for the signatures of persons of landed property; and although it is swelled by the names of several thousands, it is not, for this reason, of such magnitude as it would otherwise have appeared. I should remark also, that there

are several parts of Ireland, to which, from accidental circumstances, the Petition was not sent; but where, had it been otherwise, it would have met with very extensive support. In some parts many signatures have been obtained which have not been affixed to this Petition; for, by letters I have received to day, I find that since I quitted Ireland, several copies of it have been signed most respectably in the county of Down, which is more peculiarly a Protestant district. Under these circumstances I feel myself authorized, not only to beg permission to bring this Petition up, that it may be laid upon the table, but to recommend to the House to receive it with serious attention, as containing the decided sentiments of the uninfluenced and independent part of the Protestant proprietors of Ireland.

Mr. Wellesley Pole.—Sir; after what has fallen from the right hon. gentleman, I cannot avoid offering a few observations to the House. As the right hon. gentleman has stated that the Petition was signed by a great majority of the Protestants of Ireland, I am not disposed to dispute the assertion; but I am much surprised, notwithstanding; and it is the first time I have ever heard, that the majority of resident Protestants in Ireland were supposed to be favourable to the claims of the Catholics. I know, indeed, that great pains has been taken to promote signatures; but I can assure the right hon. gentleman, that if the zeal of the Protestants had been equally excited for a different purpose, Petitions of a very different description would be sent in from a very numerous body of the Protestants of Ireland. The statement, however, which called me up was, that the government of Ireland had interfered to obstruct the success of the Petition, and particularly, that they would not appoint a sheriff who was known to have signed the Petition. I happened to be in Ireland at the period when the idea of the Petition was first suggested at a dinner given to the friends of religious liberty in Dublin, last December, but I never heard till now of the interference of government to oppose the progress of such a Petition. On the contrary, their object throughout has been to allow the Catholics to proceed by Petition as long as they thought proper to confine themselves to that constitutional course of proceeding, and also not to interfere with the Protestants in any steps they might take in favour of the Catholics. With regard to

the appointment of a sheriff, I would be glad if the right hon. gentleman would explain the allusion he has made. I was much surprised to hear such a charge made against the noble duke, who is at the head of the Irish government; and I verily believe that no man can think it possible that the duke of Richmond would lend himself to such a purpose. I do not know what the right hon. gentleman meant by the exertions of the partizans of government against the Petition; but I know that no suggestion has been given by the Irish government to that effect; and in the county which I have the honour to represent, and where it might be natural to suppose such influence would be exerted; I appeal to my hon. colleague (Mr. Parnell) to confirm my assertion, that no such interference has been attempted. Let the right hon. gentleman then come forward, and manfully make his charge, and call for documents to prove it, instead of dealing in vague assertions, which I believe, upon the honour and conscience of a gentleman, he is not borne out; and I am persuaded that the Irish government would spurn such attempts as are ascribed to them. If I was called on to give my opinion on the subject before you, I would say that I wish the Petition to be read, and that its merits should undergo a full and fair investigation; but I do not think it fair in the right hon. gentleman to make such charges without better foundation for them.

Mr. Maurice Fitzgerald.—The right hon. gentleman having called on me, I name, without hesitation, the county to which I alluded, it is Carlow. I have no doubt of the fact, and I shall restate it. The nomination of sheriff had been promised to a gentleman of large fortune in that county: he had announced the promise to his friend, who took measures preparatory to his appointment, quite notorious in the county. But, on the former signing the Petition, the Castle immediately superseded the first engagement, and named the second on the list. That gentleman replied, that as he, also, had signed the Protestant Petition, government would probably consider him an unfit sheriff, and begged to decline. Government refused; but on learning that the sheriff would, if a requisition was made to him, call a county meeting on the subject, they acquiesced in his resignation; and a third person was appointed. I should be glad that an enquiry were made into these facts.

I have also ascertained, from authority which I cannot doubt, that individuals have been threatened, by the agents of the Irish government, with the loss of their situations, if they should sign the Petition. I shall not mention their names, because that would involve them in the very danger with which they were threatened, and would invite oppression towards them. I know an instance, and could prove it, of a person extremely friendly to the measure, who had agreed to keep the Petition in his house, in a county town, during the assizes, for signatures.

On the gentleman, to whom he gave the assurance, calling on him on the following day, he said—"Sir, since I saw you, I have been threatened with the loss of my office, if I shall suffer the Petition to remain in my house." Various other instances of the most unwarrantable interference, was quite notorious in many parts of Ireland.

Mr. W. Pole.—I protest I know nothing of the circumstance of the sheriff of Carlow.

Dr. Duigenan.—I maintain that the Petition has been smuggled about for signatures in a clandestine, underhand manner. Not one-third of those who had signed it, knew any thing of its contents. I have not read it; but from the cowardly way in which it was handed about, I do not believe it contains the names of one hundredth part of the Protestant property of Ireland. It is easy for members to make assertions of matters of which they are totally ignorant. I can speak positively as to the north of Ireland, and from thence the signatures, I know, were very insignificant, those from the misguided men of the county of Down excepted.

Mr. Parnell.—The right hon. and learned doctor has stated to the House not only a correct opinion, "that it is exceedingly easy for members to make assertions of matters, of which they are wholly ignorant," but he has likewise afforded the strongest possible illustration of it in his own speech; he having told the House in the first sentence, that he never had read or seen the Petition. The assertion, therefore, of the learned doctor, "that this Petition does not speak the sense of the majority of the Protestants of Ireland," cannot have any weight, when placed in opposition to that of the right hon. gentleman who has presented it, and who has had every opportunity of knowing the true purport of it, and on whose veracity the most implicit reliance may be placed.

But if there existed any doubt on this point, it may easily be cleared up by looking back to the divisions in the two last Catholic Petitions, in both of which a considerable majority of Irish members voted for the prayer of them. This is in itself a decisive proof that the Protestants of Ireland are favourable to the claims of the Catholics.

In respect to what has been said by the learned doctor, as to the manner in which signatures to this Petition have been obtained, he is equally unfortunate in his inference; for, if instead of the quiet, disinterested mode, pursued by those who were the advocates of it, similar acts of energy and influence had been resorted to, to those which distinguished the enemies of it, in the place of thousands, who now appear as parties to it, the signatures of ten times their number could readily have been acquired. As to the Petition of the corporation of Dublin against the Roman Catholics, no man the least acquainted with that corporation, and the influence of government over it, by means of the dependance of most of its leading members upon the pleasure of government for the lucrative places they hold, can allow that it deserves the smallest weight whatever. Let the House recollect lord Wellington's act for establishing a police in Dublin, and they may judge from that how far this corporation can have any claim to an independent opinion. As to any endeavours of the chief secretary to obtain from that corporation this adverse Petition, it is unfortunate for him that some how or other, his conduct, as explained by himself, is so very different from that which vulgar minds, judging from common appearances, have conceived it to be; for there certainly did exist circumstances which looked very much like an attempt on his part to controul the proceedings of this body the first time the Petition was proposed to them. But though the right hon. gentleman may himself have acted with so much discretion, as not to be personally implicated in any plan for defeating the object of the friends of the Catholics, it by no means follows that any part of the charge of the right hon. gentleman, who has presented their Petition, is unfounded; for we all know, from the history of the Union, by the subsequent explanations of a noble lord opposite, how effectually the government of Ireland may wield its influence at the same time that the first minister of it may conscientiously assert he

never abused its patronage, nor committed its faith for great popular concessions.

That the agents of government did, by their command, use every exertion to defeat the liberal and patriotic efforts of the Protestants of Ireland in favour of their Catholic countrymen, is as true, as the assertion of the right hon. gentleman who has presented their Petition, that it speaks the sentiments of a decided majority of the Protestants of Ireland.

Sir George Hill.—I deny that government interfered either one way or the other. It will be my duty to present tomorrow a Petition from the Catholics of the county and city of Londonderry, a great body of the inhabitants of which is against Catholic Emancipation.

Mr. Hutchinson.—Sir; the insinuation that the Protestants of Ireland are unfriendly to the Catholic claims, is as uncandid, as from the Petition now presented, it appears to be wholly unfounded; and one cannot but be anxious to learn the circumstances, from which gentlemen consider that they are justified in arguing to this effect. I should be glad to know whether, from any thing lately passed in Ireland, it is fair or just, by mere conjecture and assertion in debate, to try to do away the impression which this Petition in behalf of the Roman Catholic claims, is so well calculated to produce, not only in the House, but throughout the empire. I admit, with shame and regret, that there may exist a disposition, nay, perhaps, an ardent wish, in certain quarters, to excite such an hostility; but I know not any language sufficiently strong, with which to reprobate such an object; and be it remembered, that the attempt to deny the importance of this Petition is made on a question, involving the happiness and welfare of several millions of subjects. Acquainted as I am with the history and progress of these claims, nothing can surprise me. After every foul and false charge, every serious and every futile objection, had been over and over again made and repeated, Parliament were at length gravely assured, that even the Catholics did not desire emancipation; but when this impudent and foolish assertion was about to be denied by the united Catholic voice, the refutation was sought to be proved by most unconstitutional attempts to silence that voice. And now that the Protestants of Ireland, who, for a long season, had been cruelly hallooed against the Catholics, had discovered the artifice,

and were voluntarily rushing forward to save their common country and the empire, by declaring their readiness to renounce a monstrous monopoly, and their anxious wish to secure and enhance all their blessings, by sharing them with their countrymen.

Now, when the Protestants themselves presented the olive branch, and were for healing those wounds which a wicked policy had studiously inflicted, there were not wanting those who would prevent the accomplishment of this great and good work; and in the face of the evidence afforded by the Petition, would anxiously conceal from the parliament and the throne, the actual state of the public mind in Ireland. I will not undertake to say the exact proportion of Protestant property, represented by the signatures to this Petition; much less shall I venture to declare how particular Protestant individuals, or some Protestant districts still feel on this great question; but this I may and do assert in the most unqualified manner, that a complete change of sentiment among the Protestants, favourable to the Roman Catholic claims, has happily taken place, particularly since the Union: nor is it too much to assert, that the Protestants of Ireland are now generally friendly to that measure; nay, even anxious for its speedy accomplishment. When the infatuated, determined, hostility of the present administration to this question is considered, there cannot be a doubt, that had ministers felt there existed generally in Ireland, or in any part of that country, a hostile anti-catholic feeling, they would have done any thing in their power to have drawn forth a declaration of such sentiment: not having made the attempt proves their conviction that any such would have been vain; that is, it proves that they are well assured, that the Protestant feeling is now friendly, not hostile, to the Catholic cause.

Gentlemen seem sorely vexed and displeased, that the member for Derry should have expressed pleasure and satisfaction, when presenting this Petition; that he should have exulted in the existence of such a document, and have ventured to congratulate his country, that at length every class and sect appeared disposed to make common cause for Irish interest—that all internal feuds were about to cease—that the infernal fume of ‘divide et impera’ could no longer be played with success, where for centuries a machiave-

lean short-sighted wicked policy had spread desolation and wretchedness. I am compelled to admit that my right hon. friend has indeed rejoiced, nay, even exulted at this happy revolution of sentiment in the Irish Protestant mind—of that crime he has been guilty, and in that offence I wish to be included as having fully participated; but I positively deny that he has said one word in condemnation of any part of Ireland, much less any thing calculated to influence one district against the other. True he has stated, that even in the north, in parts of which at one period, a disposition unfriendly to the Catholics, had with great industry been excited, and kept alive; that even there, no such feeling at present manifested itself: but he has said nothing reflecting upon the north, nothing disrespectful of the Protestants, nothing to irritate, but much to appease and to harmonize in the warm expression of his heartfelt joy at the part the Protestants had taken at such a crisis; and surely every honest man must be delighted at the intelligence—every true Irishman disposed to exult at the bright prospect which this happy revolution of sentiment opens to his country, while every real friend to the peace, power and stability of the empire must anticipate the happiest results from such a union. They who seem disposed, at any risk, to keep alive amongst their countrymen a difference of opinion on any subject, they prove their conduct was questionable at such a moment. It had been argued as if a defiance to collect counter Petitions had been thrown out, but no such defiance had been given. Though I flatter myself that any attempt to create disunion in Ireland would now be vain—that the counter Petitions which some gentlemen seem disposed to threaten, could not be obtained, still I am little disposed to dare any man to the trial, for I cannot easily forget how severely my unfortunate country has suffered, and for centuries, in consequence of the too successful machinations of disturbed and angry spirits; and I am far from denying that the power, (I had hoped not the will) to do mischief still remained, though I rejoice to think that any such noxious influence is very much lessened, and thank God, is likely very speedily to become altogether inefficient. The people of Ireland are beginning to think and to act as one man, and I caution ministers to beware how they influence, or permit to be influenced, such a population. The

claims of the Catholics cannot be withheld; they will do wisely to consider this, and before it be too late, to conciliate those, whom they cannot much longer insult and oppress with impunity.

The Petition now presented is offered to the House of Commons as expressive of the favourable opinion of the Protestants of Ireland on the subject of the Catholic claims, as far forth as that sense has been collected or declared. It is the first general appeal to parliament from this body, in approval of those claims, and there is no counter Petition. These are facts incontrovertible, which cannot be too often repeated, too strongly, too confidently relied upon.

Sir *George Hill*.—I did not assert that a challenge had been thrown out to the Protestants. With respect to the observations of the hon. gentleman, I can assure him that I shall always express my sentiments, whether he liked them or not; and further, that I will controvert any observation of the hon. gentleman, when I feel it necessary to do so.

The Petition was then brought up, and on the question being put that it should lie on the table,

Mr. *Maurice Fitzgerald* said, I am indifferent to which of the strange and contradictory accusations made by the learned doctor he adheres, because they are equally and totally unfounded. He has stated at one moment "that the Petition was carried about in an indecent canvas for signatures;" and in the next, "that it was concealed in a dark room where no one could either read its contents or see the names signed to it." The absurdity of these inconsistent charges is a sufficient refutation of them.

But, for the purpose of affording an express contradiction to what has been so confidently asserted by the learned doctor, I shall state the mode in which the Petition was conducted. The persons with whom the Petition originated, thought it right, confident as they were in the wisdom and justice of their cause, to appeal to the judgment of the Protestants in the most calm and deliberate manner. For that purpose, county and aggregate meetings were discouraged, to avoid any agitation of the public mind; and instead of a canvas for signatures, the Petition was placed in a room in the commercial buildings of Dublin, the central spot for mercantile business, and the most accessible situation in the city.

The substance of the Petition and the place where it lay, were advertised in all the newspapers; and as fast as names were obtained, they were copied in large characters and hung up in the room for public inspection. Indeed when the conductors of the Petition reckoned much on the influence of the great names signed to it, and which, on the very first instance, comprehended many of the highest in rank, in property, and in character, it was too preposterous to suppose that they had, as the learned doctor charged, concealed such signatures.

But, to settle the point, I can inform the learned doctor that I have in my possession a printed list of the first two thousand signatures which had been circulated, and that the entire of the names will be speedily published; and on that publication, I challenge an investigation in proof of what I have already stated, that the Petition has been signed by a majority of the landed and commercial Protestant property of Ireland: but on what authority did the learned doctor and his adherents make their denials to the respectability of names which the learned doctor himself declared he never had seen. If not on his own knowledge, he was merely the echo of that ribaldry and vulgar abuse with which the hired press of the Irish government had impotently sought to suppress or impede the noble expression of Protestant liberality.

The learned doctor has also, with equal accuracy, denied that the signatures from the North of Ireland are numerous and respectable: he states, "that with the exception of some misguided men in the county of Down, no person of any wealth had signed it." Is the majority of the commercial body of Belfast and Newry deserving of that description? That class of men whose capital and spirit gives life to all the industry of the great manufacturing district, the North of Ireland? Is the commercial body of Dublin, of Waterford, and of Limerick, nothing in the scale of Irish property? Will the learned doctor, in the hearing of those who know Ireland, call such classes "an insignificant portion of the wealth of Ireland." I therefore again assert, without the possibility of being refuted, that the majority of the landed and commercial Protestant property of Ireland is subscribed to that Petition.

Dr. *Duigenan*.—I maintain that the Petition was smuggled about in a clandestine

manner. I know instances where persons who went to see it were asked first of all, if they meant to sign it? And if they declined saying whether they would or not, they were refused the perusal of it. When the names were printed, they would then know whether they did represent what they were asserted to do; but I am certain that there were many Protestants of the first eminence who reprobate Catholic Emancipation. With regard to the Protestant Petition, I know that various arts were used to obtain signatures: many shop-keepers in Dublin, whose subsistence depended upon their trade, were threatened with a general combination to ruin them, if they did not sign it. I know this could be proved.—I could mention several counties where the Petition was rejected with disdain by the grand juries; and therefore I have grounds for saying that it does not contain the majority of the commercial property of Ireland. I will mention an instance of a dissenting minister in the country, who signed the Petition, who was hunted out of his church by his congregation, and reproached with the opprobrious name of another Judas.

Mr. Craig.—I do believe that three fourths of the Protestants of Belfast are favourable to Catholic claims. As I represent a Northern city, (Carrickfergus) I know that several signatures could have been obtained, if the necessary form of a petition had been prepared; and the member for Belfast is a subscriber to the Petition.

Mr. Robert La Touche.—The right hon. doctor alluded to me and my family, as having been particularly concerned in promoting this Petition, and as if the Petition had succeeded only by the agency of some of my connections. Certainly, Sir, the head of my family has signed his name first to the Petition, and although formerly in the separate state of Ireland, he was hostile to the Catholic claims, he has changed his opinion with the change of circumstances, and very much to his honour, has candidly avowed that change. He is totally unfounded in supposing that this Petition has been produced by any such agency or management. It has been most respectably signed, by persons of the utmost independence and above any influence.

Colonel Vereker said, that a great proportion of the Protestants of Limerick was not favourable to Catholic Emancipation.

The Petition was then read; setting forth,

“That the petitioners do most humbly petition the House in favour of their brethren and fellow subjects, the persons professing the Roman Catholic religion, who apply to parliament to be admitted to the privileges and franchises of the constitution; and that the petitioners, their Protestant brethren, do consider such application to be just, and they do most heartily join the Catholics in this their loyal and reasonable request, and, convinced of its policy as well as its justice, they do most zealously implore the House to comply with the prayer of the said Petition, and to relieve the persons professing the Roman Catholic religion from all civil and political disabilities.”

Ordered to lie upon the table.

PETITION OF THE ROMAN CATHOLICS OF WATERFORD.] Sir John Newport. I have the honour of presenting to the House the Petition of the Roman Catholics of the county and city of Waterford, from a very numerous, opulent, and respectable body of his Majesty's subjects, praying to be restored to the full participation in the privileges of the constitution with their Protestant fellow subjects. Possessed of large landed and monied property, feeling their best interests intimately connected with the welfare of the state, they claim from the justice of this House a candid and dispassionate consideration of their Petition. They pray that at a crisis of unexampled danger to the empire, their efforts in its defence may not be impeded by unjust restrictions; that their tried loyalty may not be sullied by unmerited degradation; that no bar of separation may remain to alienate them from their native country, but that sharing in her dangers, they may share in her honours also.

I have peculiar pleasure in presenting this Petition, as I am enabled here to disprove, both from the magnitude of property, and the nature of its tenure, the unwarrantable assertions which have been hazarded in this House by a right hon. and learned civilian, as to the intentions entertained by the Roman Catholics of Ireland. I know that 200,000*l.* have been vested by some of the petitioners, within these ten years past, in the purchase of landed property, principally on those very titles which the learned doctor has accused them with a wish to subvert. It

is impossible to furnish a more complete refutation of the learned doctor's assertions than the petitioners have done, supplying by their practice the most unanswerable commentary upon the monstrous theoretical opinions with which he has so often attempted to mislead this House.

Mr. *Pole Carew* called the right hon. baronet to order, conceiving it to be irregular to allude to former discussions.

Sir *J. Newport*.—I contend that I have not been out of order, as the right hon. doctor had published his speech, and sent it into general circulation, which made it public property, and of course subject to comment; especially as the Catholics of Ireland generally, and my constituents in particular, most justly complained of the unfounded, calumnious assertions contained in that publication.

Dr. *Duigenan*.—In any thing I said against the Roman Catholics of Ireland in any former debate, I said against the whole body, and not against those of Waterford, or any other corner of Ireland; therefore I cannot see why the right hon. baronet should have made any allusion to me. He reminds me of Harlequin in the pantomime, building up a castle of pasteboard that he might knock it down with his wand of lath; besides, it would have been more proper if the hon. gentleman reserved the eloquence of which we hear so much every night, when he shall have plenty of opportunities to answer my opinions about the Roman Catholic sect.

The Petition of the Catholics of the county and city of Waterford was then brought up, presented, read, and ordered to lie on the table. It was the same as the General Petition of the Catholics of Ireland.

GOLD COIN AND BANK NOTE AMENDMENT BILL.] Mr. Wharton having appeared at the bar with the report of this Bill, the question being put for its being brought up,

Mr. *Pole Carew* expressed his total disapprobation of the principle of the Bill, inasmuch as it would create an inducement to give more for coin than its nominal or legal value, thereby creating a crime which could not be prevented by any legislative act.

Sir *Thomas Turton* contended, that if this Bill passed into a law, it would completely do away the sacred contracts between landlords and tenants. He could see no necessity whatever for such a mea-

sure, and until some necessity was shewn, he could by no means give his vote in its favour. The House had heard from a noble lord (Castlereagh) that the Bill would be of considerable importance, and was in truth much wanted in the north of Ireland. He did not, however, feel disposed to take the noble lord's *ipse dixit*, and should therefore wait for better evidence of the fact, before he could give it implicit credence. A committee ought to be appointed to enquire into the state of Ireland, and if they reported that such was the state of that country as to render such a Bill necessary, he should have no objection to give it his sanction. At present he could only regard it as the worst of evils, the only effect of which would be to destroy the compact between man and man, and create dissensions and disagreements which could not be too strongly deprecated. He had heard it stated that Ireland was precisely in the same state, as far as regarded the powers of this Bill, as England. This he begged leave to deny. In Ireland a special agreement was entered into by the tenant to pay his rent in specie. Would the House then dissolve these compacts? Would they, by passing this Bill, completely overthrow those customs which had so long existed, without question or inconvenience? He could not help thinking that the facility already given to paper currency had given rise to something like depreciation, and had little doubt that a one pound note and a shilling would not purchase so much as a guinea. An hon. gentleman had suggested as a nostrum for this evil, that the Bank should be suffered to regulate their own issues; that country banks should be obliged to pay their notes in specie; and that government should pay to the Bank the sum due to them by the country. He should be glad to know how these measures, if adopted, would have the desired effect? Or, how the payment of that sum would draw back to the country that coin which appeared to have totally evaporated? He was firmly persuaded that the connection between the government and the Bank was extremely ruinous; but when government attempted to legislate for them, and to give value to their notes, the consequences would be fatal. As long as the war in the peninsula continued, the country could expect to have no other coin than the pocket pieces which were at present in circulation. He did hear of a flag of truce having arrived, and of some over-

tures having been made from France. These, he hoped, would meet with that sort of attention the state of the country required. In conclusion, he declared, that if the necessity of the measure was clearly established, he would give it his support, but otherwise he should certainly vote against it.

Mr. *Taylor* took a short view of the mischievous effects which had ever been experienced in all ages, and in all countries, by the substitution of a paper currency for the legal coin of the realm. He particularly instanced the consequences of this substitution in the American war, in Austria, and in France; and, drawing deductions from these examples, he strongly contended that the present Bill was highly impolitic, and likely to prove highly detrimental to the interests and welfare of the country.

Lord *Folkestone* expressed his surprise, that so many gentlemen who had expressed their opinions upon this Bill, should set out by declaring their disapprobation of its principle, and yet afterwards find some qualifying circumstance which might induce them not to withhold their assent. Such had been the tenour of the speech of the hon. gentleman who had spoken last. He perfectly agreed with the hon. gentleman who spoke first in the evening, that the Bill went to create crimes which did not offend against any moral duty. It would be utterly impossible to prevent the exchange of gold for notes at a discount. In a political point of view, so far from being considered an offence, he thought such a traffic was very desirable in the present state of scarcity, as by there being a gold price and a paper price for things, the specie, if any remained, would be the more likely to continue in the country. The present Bill, however, only went to increase the temptation to the crime wished to be guarded against, and after it passed, guineas would be still less in circulation than ever. It was well known, that the traders in guineas in Dublin, after the passing of lord Stanhope's Bill, became more anxious in their traffic than ever, and he had no doubt the system would now be carried to a still greater extent. From the report on the table of the House, relative to the number of Bank notes discovered to be forgeries by the Bank, it appeared that for fourteen years previous to the suspension of cash payments, there had been but four cases of prosecution for forgery; whereas in the fourteen years subsequent

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thereto, the prosecutions had amounted to 471. This statement, however, he did not esteem a just criterion of the real state of facts; for, although the amount of Bank notes said to have been discovered to be forgeries amounted only to 101,000*l.* he could by no means suppose, from the number of prosecutions, that that sum was in anywise proportionate to the number really in circulation. He conceived the present Bill to be perfectly nugatory. Amongst other anomalous principles which he had observed in it, was one which he thought particularly striking. It was an old mathematical axiom, that if two things were equal to one, they were equal to one another. Now, by this Bill, a Bank of England note and a shilling were made equal to a guinea, and the same regulation was made with respect to an Irish Bank note and a shilling, although it was well known that there was a return of discount—he knew the discount to have been equal to 10 per cent. Here, therefore, was an inconsistency for which he could not account; it was, in fact, making the Bank of England and Bank of Ireland note of equal value; the fact, in truth, being directly otherwise.—He would not go into a detail of all the arguments which history and recent occurrences would amply furnish, upon the impolicy and ruinous tendency of a paper circulation. Examples had been afforded sufficient to induce the House to pause before they gave their sanction to a measure fraught with evils, and pregnant with the most calamitous events. Nor would he state the reasons why, from time immemorial, gold and silver had been preferred as the circulating medium of every nation. Their imperishable nature, their scarcity, every thing in fact had pointed them out as the best representatives of wealth. In addition to the political inexpediency of a paper currency, there were a variety of other reasons, equally strong, against it. Its inconvenience, its liability to accident and to forgery, rendered it peculiarly objectionable. Supposing a poor man, who had received one or two pounds for his week's wages, on his way home should get drenched in the rain—what would be the consequence? his notes, which would no doubt be consigned to his pocket, would come out a perfect pap, the numbers would be destroyed, and the fruits of his labour would be completely lost. (A laugh.) Gentlemen might laugh, but such might really be the case, and such were the so-

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cidents constantly occurring. He knew an instance of a poor man, who had saved up a sum of money, from the fruits of his labour, which was in the shape of Bank notes, and which he had deposited in a cupboard in his room. On going to seek for it afterwards, however, he found that his notes, as well as his bread and cheese, had been eaten by the rats. The noble lord concluded by declaring his dissent from every principle of the Bill. He would propose as an amendment, "That the Report be brought up that day six months."

Mr. *Simeon* opposed the amendment.

Sir *John Newport* deprecated the interference of the legislature in cases of this kind; as it only afforded to the ministers of the day a temporary relief from their embarrassments, and went to subvert all principles of political economy.

Mr. *McNaghten* thought it but fair that the Irish tenantry should have as much protection as the English.

Mr. *Johnstone* spoke against the Report being brought up. He said the Bill would be destructive of public credit; and the only difference between us and foreign nations was, that they bounded into bankruptcy in three or four years, while we should be longer in doing so; but say what ministers would, it must come to the same end at last.

Mr. *Vansittart* was favourable to the Report being brought up. He said, we were no doubt in a state of difficulty and embarrassment, but denied that Bank notes were at all depreciated. He believed a great majority of the House approved of the Bill, and a much greater majority of the nation; and therefore it had his hearty support.

Mr. *Horner*, at considerable length, opposed the general principle of the Bill. The invariable effect of legislative interference was to increase, rather than diminish the evil. The root of the evil, the excessive issue of Bank notes, ought to be struck at. The rate of exchange was now, in consequence of the measures taken by government, lower than at the time the Bullion Committee sat. He remarked upon the extraordinary coincidence, that the rise in the price of bullion exactly kept pace with the augmented issue of notes from Threadneedle-street.

A division then took place on the question that the Report be brought up, when the numbers were—Ayes 138; Noes 29. The Report was accordingly received, when

Lord *A. Hamilton* proposed a clause to confine the dividend of profits to the proprietors of the Bank of England to 10l. per cent. during the operation of the Bill. His object was that the Bank might have an interest in the recommencement of payments in specie.

This clause was opposed by Mr. *Manning* and Mr. *Vansittart*, and supported by Mr. *Brougham*; but it was negatived without a division.

Mr. *Taylor* proposed a clause to compel the Bank to employ the surplus, above 10l. per cent. to the purchase of bullion, which was also negatived, after some important discussion.

Mr. *Johnstone* proposed a clause to limit the issue of Bank notes, which was likewise negatived.—The Bill was then recommitted.

The *Chancellor of the Exchequer* proposed what he termed a valuable amendment, taking away from the landlord the right of ejectment after a tender of Bank notes in payment of his rent by the tenant. It was warmly opposed by Messrs. *Horner*, *Brougham*, and others, on the ground that it was a most important alteration, depriving the landlord of his only remaining remedy, and making Bank notes to all intents and purposes legal tender. The *Chancellor of the Exchequer* and Mr. *Simeon* maintained a contrary position, insisting that nothing new in principle was suggested, and indeed that the alteration had been in contemplation from the commencement. The amendment was passed without a division; the Report was brought up, received, agreed to, and the Bill ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Tuesday, April 21.

PETITIONS AGAINST THE ORDERS IN COUNCIL.] The Duke of *Norfolk* presented a Petition from certain manufacturers, traders, and others, of the town of Birmingham, against the continuance of the Orders in Council, which was ordered to lie on the table.

Earl *Fitzwilliam* presented a Petition to the same effect, from the body of merchants, manufacturers, and other loyal inhabitants of the town of Sheffield, in the county of York, and its vicinity. The Petition expressed, in strong language, the opinion of the petitioners respecting these measures, and praying their lordships to adopt such measures as in their wisdom

they may deem proper for the purpose of rescinding the same.

Lord *Calthorpe* presented a second Petition, precisely to the same effect from Birmingham.

The Duke of *Norfolk* took occasion to observe, that the Petition just presented had received the signatures of more than 14,000 individuals, and urged the propriety of their lordships paying the most serious attention to a subject of such vital importance, and respecting which the sense of such a large portion of their fellow subjects was so decidedly expressed.

Earl *Fitzwilliam* then adverted to the notice he had given of a motion respecting the Orders in Council, with reference to the numerous Petitions which crowded the table of the House, setting forth the distresses of the manufacturers in consequence of the operation of these Orders, and moved to discharge the order for summoning their lordships on that motion on Tuesday next, and to renew it for Thursday the 30th instant.

The Earl of *Lauderdale* observed, that the various applications to parliament upon this important subject, strongly expressed the opinions and the feelings of the great body of those most interested in and affected by the measures in question. What they alleged against those ruinous measures was strictly founded in fact, and this he would be the more enabled to prove, were the documents which he should move for on Friday ordered to be produced. The petitioners took a right view of the subject, and he agreed with them, as he was sure that no measures could more effectually aid the enemy than the means afforded by those Orders in Council. They would tend eventually to the creation of a marine for the enemy, and would, instead of diminishing, tend to increase the supplies for those armies with which he subjugated the continent. He conjured their lordships to attend to the subject, when it should, ere long, come under their consideration, as involving points not only vitally affecting the commercial and trading interests, but even the national existence of the country itself.

Earl *Bathurst* strongly contended that a very mistaken and erroneous sense of the nature and effect of the Orders in Council was entertained by those whose opinions were expressed in the language they had just heard read. He would put it to their lordships what would be the inevitable effect of a repeal of the Orders in Council?

It would, in fact, be to open the ports of France to importations from the Baltic, from the United States of America, and various other places; it would be to transfer the entire advantages of a traffic to the enemy, which might otherwise direct itself to this country.

The Earl of *Lauderdale* insisted that the petitioners in such a question were the preferable authority.

The Duke of *Montrose* deprecated all premature discussion of a subject not before the House. He contended that the opinions of noble lords on his side of the House were intitled to as much attention and respect as those so loudly urged by the noble earl. The line of argument and tone held by noble lords opposite, tended to deceive, instead of informing the manufacturers upon the subject. They represented that the effect of the British Orders in Council was to benefit the trade and the navigation of the enemy, and to divert the tide of commerce from the ports of this island. His conception of those measures was very different. He regarded them as making part of a wise and just system of retaliation against the unprincipled and aggressive conduct of France, providing that where the neutral had not the wisdom or spirit to defend its right, the enemy should not reap the advantage of commerce, nor that the valuable products of the West Indies should be carried into his ports. The number of speeches which were made, nor the clamour which was raised against these measures, did not alter the nature of those Orders, or tend in the least to shew their want of wisdom or justice.

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Earl *Grey*, advertent to the numerous Petitions that lay on their lordships' table, against the East India monopoly, wished to know from the noble President of the Board of Control, when the subject of the renewal of the charter was to be brought forward. The session was far advanced; the measure was one of the greatest importance; and it was necessary that time should be given for that ample deliberation, which the magnitude of the question called for.

The Earl of *Buckinghamshire* could not state exactly when the subject would be brought before parliament; but whether it could be brought forward this session or not, their lordships might be assured of this, that full time would be given for the

consideration of the question in all its bearings. He had no objection, however, to state, that it was the intention of government that the matter should originate in the other House; but there was no desire, on the part of the Prince Regent's ministers, to precipitate the measure, or prevent its being maturely considered in both Houses.

Earl Grey had expressed his wish to know when the subject would be brought before their lordships; whether it was probable that it would be submitted to them at a period when there was a fair chance of its being considered and discussed in a manner suited to its importance: but now the noble earl over the way appeared to be uncertain whether it would come before them at all that session; and stated, that, at all events, it was intended that the measure should not originate there. He saw no reason against it; but at any rate it ought to be laid before them at a period when it might receive the fullest deliberation. Could this be expected? Considering the time that a Bill of this nature must take in passing through the other House, it was morally impossible that it should that session come before their lordships at a time when there was usually the fullest attendance. He hoped their lordships would interfere, and not suffer their dignity and consequence in the state to be thus trifled with.

The Earl of *Buckinghamshire* had given no decided opinion that the subject ought not to originate in their lordships' House. He had only stated that under the circumstances, it appeared most advisable to the government that the matter should originate in the other House.

Lord Grenville declared, that from what he had seen of the conduct of the present ministers, it was his firm belief that they acted upon a fixed intention to annihilate the consequence of that House. (Some cries of No, no.) He repeated that such was his firm belief—a belief founded upon their uniform plan of delaying to bring the most important political measures before their lordships, till it was notoriously impossible to give them their due consideration in that House. The declaration of his noble friend at the head of the East India Department, was in exact conformity to this system. After the public attention had been so long fixed upon this subject, when their table was loaded with Petitions respecting it, his noble friend had declared, that the matter was not to be

brought forward here till it had passed the other House. Such a declaration he thought a most extraordinary one; for even if the measure were to originate in the other House, still there were means, before it had gone through all its forms, to bring the subject before their lordships; and this was the plan which those who loved the constitution of their country, and thought their lordships' House an integral part of it, would, in all probability, have followed: but ministers, it appeared, thought that their lordships had only to sit, with their hands folded, till the most important measures were brought before them, at a time when they could not give them due consideration; and then, if some of their lordships solicited farther time, they would be told, that the public interest, and not their opinions, were to be attended to. Was this a way to treat that House? For five years they had been treating on the subject with their parliament in Leadenhall-street; and yet it was not to be brought before their lordships, till it was so late, that they could not conveniently, he might say, could not possibly, give it the consideration which its magnitude required. It was of the utmost importance to the constitution of the country, that their lordships should not suffer their House to be treated with this gross indignity.

The Earl of *Liverpool* would never hear the present ministers charged with treating their lordships' House with indignity, without rising to repel the accusation. He maintained that in the conduct of the public business, every attention had been paid to the consequence of that House. What was there in the explanation of his noble friend to call for this accusation? Had not his noble friend declared, that ample time would be given for the consideration of this important subject? And with regard to the particular period at which this business might come before them, he had to observe, that no season was improper for deliberation upon a great public measure. If, indeed, there had been any faulty delay on the part of ministers, under all the circumstances of the case, that might be a ground for a distinct charge against them: but any season of the year was a fit one for the discussion of a great political question. It would be for their lordships to decide, when the question came before them, whether they should proceed upon it or adjourn the discussion to a future period;

and it ought to be remembered, that the Company's Charter wanted two years of its expiration. Where was the indignity to their lordships, in saying that it was the intention of ministers that the measure should originate in the other House? That might be purely a matter of convenience; and no indignity was intended to either House of Parliament. It ought to be remembered, also, that when the subject of the Charter, now about to expire, was under consideration, the noble lord who spoke last was in administration; and yet the measure had then originated in the other House, and had come before their lordships at a late period of the session. The magnitude of the subject was deeply felt by the Prince Regent's servants; and they had thought it their duty to consider fully the various interests which it involved, before they laid the matter before parliament. They had thought it incumbent on them to lay the measure before parliament in as perfect a shape as possible; and it was, and had always been, their intention that parliament should have ample time to give it all the consideration which its importance deserved.

Marquis *Wellington* denied, in the most pointed terms, that there was any intention on the part of ministers, while he was connected with them, to offer any indignity to their lordships' House, or to treat its authority lightly; but at the same time he deeply regretted, that a question of this importance; for it was one of the most important questions, not only with a view to trade; but in a constitutional, military, and political point of view, that ever came under their lordships' review—it involved all that was dearest and most vital to the constitution of this country, to its liberties, and to its government,—it involved the consideration of all they owed to that vast empire which they had so long administered, and which, as he should be able to prove when the matter came regularly under discussion, they had, all things considered, administered so well; he deeply regretted, he repeated, that a question of this vast importance had not, before this late period of the session, been brought regularly under the deliberation of both Houses, in the shape of Resolutions, by which the opinion of parliament might be taken on the prominent features and principles of the system, before the more formal measure was submitted for deliberation. Whether the measure ought to originate in that or the other House,—

whether that House had been, at any time, improperly passed by, whether the error was on the one side of the House or the other, was not now the question for their lordships to decide. The real question which at this moment best deserved their attention was, whether they ought not to have an opportunity of deciding upon the prominent principles of the intended India system, as a preliminary to the discussion of the more detailed plan. He was aware, that these observations were irregular; but he would state one principle now. He believed, that the general basis of the present system was the right one; but at the same time, many vital improvements might be erected on that basis, even with a view to give complete effect to the principle: but it was not right in the government to refrain from taking the sense of both Houses as the preliminary step. Such, he was satisfied, would be the opinion of every person who was at all aware of the importance of the subject. He regretted that this course had not been adopted, and heard the declaration of the noble lord at the head of the India department with astonishment. For how could they possibly think of proceeding with a measure of this magnitude without, in the first instance, applying to parliament for a general concurrence in its prominent features?

PETITIONS RESPECTING THE CLAIMS OF THE ROMAN CATHOLICS.] The Duke of *Gloucester*.—My lords, I hold in my hand a Petition, which as Chancellor of the University of Cambridge, I feel it incumbent on me to present to your lordships; but having uniformly absented myself whenever the Roman Catholic question has been under discussion, and abstained from giving any opinion on that subject, I request it may be understood, that though my name appears at the head of this Petition, in consequence of the high office I have the honour of filling in the University, from which I have but a few hours since received this Petition, (an office I feel the greatest pride in possessing) yet I do not mean to pledge myself to any opinion either for or against the important question, upon which your lordships are this night going to deliberate. Nothing would have induced me to come down on the present occasion, but for the very high respect I entertain for that very learned body whose Petition I hold in my hand; and I propose leaving the House as soon as I have heard it read.

The Petition being read and ordered to lie on the table,

The Earl of *Hardwicke* said; My lords, from the relation I have the honour to bear to the University of Cambridge, it is impossible that I should not feel some anxiety to trouble your lordships with a few words in consequence of the Petition which has been just read. None can be more ready than I am to admit the weight that is due to every thing that proceeds from that learned body; at the same time, my lords, with all the respect that I bear to the University collectively, and with all the respect and regard that I feel for many of the individuals, who probably are parties to this Petition, I trust I may be permitted to remark, that the weight which is given to any act, from whatever quarter it proceeds, must necessarily bear some proportion to the degree of deliberation and discussion which it has undergone. Now, my lords, I am sorry to be under the necessity of observing that this Petition, though relating to a question of great importance to the state, is not the result of that consideration to which the subject is certainly intitled. On the contrary, it is a fact which cannot be denied, that the intention of proposing any Petition at all, was not known in the University on the evening before the day (*viz.* yesterday) on which it was proposed in the senate; and if a right reverend prelate were now in his place, he would confirm what I now state to your lordships, that though presiding over the largest college in the University, he was not apprised till the evening of the day before yesterday, that any such measure was in contemplation. And, yet, my lords, with all this secrecy, the majority in favour of the Petition was very inconsiderable. In the Black-hood House, which consists of masters of arts, above five years standing, the members were, for the Petition 24, against it 19; and in the White-hood House, for a Petition 34, against it 20. It must here be observed, that the circumstances of the doctors having the privilege of voting in the White-hood House, if they think proper to do so, accounts for the majority being greater than in the Black-hood House. Under these circumstances, my lords, I certainly cannot consider this Petition as conveying the sense of the University at large; but at all events, it will receive its due weight from your lordships; and I am bound to say, that many of the individuals from whom it proceeds,

are of the most respectable description for their abilities and learning, and would not have brought before your lordships any Petition that was not expressive of their genuine and sincere opinions upon this or any other subject. I am, therefore, sincerely concerned to find myself obliged to differ from them so entirely upon this occasion; but I cannot, in deference to any individuals, or any body, however respectable, abandon opinions which are the result of much consideration and long experience; opinions so far as relates to the penal laws, entertained from a very early period of life, confirmed by observation and reflection since, and which lead me to the more decided conviction of the wisdom and policy of supporting the motion that will be the subject of our deliberation to-night.

The Marquis of *Lansdowne*.—My lords, as far as my information goes, the statement of my noble friend, notwithstanding the length of time in which the subject had occupied the public attention, though nearly two months notice have been given in both Houses of the intention to press this question upon the consideration of parliament this session; yet it was not till Saturday last that it was surmised in the University that such a Petition as this was in contemplation; and it was not till Sunday, a day usually devoted to other concerns, that the promoters of the Petition formally promulgated their purposes. The subject was discussed on Monday morning, before those who were necessarily absent on various duties, could attend in their places, to give their concurrence or intimate their dissent. I know that several persons, if they had had timely notice of the intention to submit this proposition to the University, would have attended to give their negative to it. (*Hear, hear.*) I have authority to state, that if the reverend and learned prelate, who held the highest situation in the University, next to the illustrious person whom it has the honour to have at its head, had not been accidentally absent when the Petition was proposed, he would have given it his opposition. Such are the circumstances under which this Petition has been carried; and I request your lordships to bear in mind the statement of my noble friend, that only fifty-eight persons out of the houses that voted, had supported the proposition, belonging to a body of seven or eight hundred.

The Duke of *Norfolk*.—I think that the

circumstances warrant an inference, that if the subject had been deliberately considered, the decision would have been different.

The Earl of *Moir* presented a Petition from the Roman Catholics of the county of Galway, same as the general Petition.

The Marquis of *Downshire* presented a Petition of the same kind, from the Roman Catholics of the county of Down.

Earl *Conyngham* presented the Petition of the Catholics of the county of Clare.

Lord *Erskine* presented a Petition from a number of Christians to the same effect as several other Petitions already received, all in support of the concessions required by the Catholics. Ordered to lie on the table.

THE EARL OF DONOUGHMORE'S MOTION FOR A COMMITTEE ON THE CIVIL DISABILITIES OF THE ROMAN CATHOLICS.] The Earl of Donoughmore moved the order of the day, for a Committee to take into consideration the Claims of the Catholic body, for the removal of the disabilities under which they labour. The Order having been read,

The Earl of *Donoughmore* rose and said :

My lords ; The Petitions on the part of my Catholic countrymen, which your lordships have heard read, are sufficiently explicit in stating the objects of the petitioners, four millions of your fellow-subjects, the Irish nation. What are the grievances of which they complain?—That they are excluded from the enjoyment of those constitutional privileges, which they claim as the birth-right, and the inheritance of every member of the British Union. What is the remedy for which they make their firm, but respectful appeal to the justice of this House?—The removal of unjust restrictions—the revival of suspended right.

This is not a new question, brought forward for discussion, now, for the first time. Your lordships have already heard the weighty arguments, by which the affirmative side of it stands supported, repeatedly put, with all the appropriate force, which talent and zeal will always give to a good cause, to every objection, which the apprehensions of his own mind have ever suggested to the well intentioned alarmist, the strong powers of truth and reason applied, again and again, with irresistible effect ; and bigotry itself dis-

lodged from its strong holds, defeated and rebuked.

There is, however, one preliminary objection—that of bringing this subject forward, at a time peculiarly unseasonable, against which I must guard myself at the outset. I must not be told, that I am now renewing a discussion, on which your lordships have decided twice during the present session. It is certainly true, that during that period, two questions have already engaged the attention of the House, in both of which the just claims of the Irish Catholics formed a strong and prominent feature. Indeed, I know not how I could select any question, of vital importance to that country, which must not embrace the necessity of conciliating them, so irresistibly must their present condition force itself into view, as the master grievance, whenever the alarming state of Ireland, at such a crisis as the present, becomes the object of consideration. But in both cases, the claims of the Catholics made but a part of the subject, which thus engaged the attention of your lordships. In both, it was complicated with other considerations of a weighty nature ; with the administration of justice in Ireland, and the conduct of the Irish government in the one case, and with the removal of the ministers in the other. On the first occasion, it was the operation of the Convention Act, which was the immediate subject of complaint. In the other the general misconduct and impolicy of his majesty's ministers, on all the leading and most important measures of their administration.

On the motion of the noble earl (*Fitzwilliam*) at the commencement of the session, many of your lordships might not have been prepared to have voted a censure on the Irish government, however anxiously they might have wished, that the Catholic grievances had not been interrupted, in their progress to parliament and to the throne. On the motion of the noble baron, (lord *Boringdon*) your lordships might have been still less ready, to go the whole length of passing sentence of execution, against the whole administration. Some noble lords might have been desirous to have given a long day, in order to have afforded to a noble viscount, (*Sidmouth*) and a noble earl (earl of *Buckinghamshire*) who have lately joined the administration, an opportunity of taking their part on the solemn occasion. Others,

in compliment to the feelings of a noble earl, (Camden) long supposed not to be a fixture in the government, might have wished to have afforded him an opportunity of escaping from the head of the council board, before the day of retributive justice.

Against the question which I now offer to your lordships' notice, no noble lord is pledged, by either of these his former votes, nor by any feeling such as I have described. From my present proposition, no one need withhold his assent, who is not a devoted and pledged friend to intolerance and exclusion, on their own intrinsic merits. Simple and uncomplicated, in all its native dignity and importance, the cause of your Catholic fellow subjects now approaches your lordships. And the known removal of that obstacle, which has so long stood in the way of its accomplishment, leaves every man at liberty to take up the question now, on its own peculiar grounds. And though there should be some little deviation from former opinions and former votes, no one need be ashamed of such a change of sentiment, or of turning, however late, out of the road, in which he has been travelling too long, into that path, which leads to national conciliation, and national strength.

But, from the experience of some of your lordships, and the history of the progress of this question in the sister country, this House cannot be unprepared, for changes of opinions somewhat sudden, in those who are now at the head of the Regent's councils. Let me remind a noble earl, (the earl of Buckinghamshire) who has been lately added to the confidential servants of the government, and the noble earl (the earl of Westmoreland) in the blue ribband, of whose administration in Ireland he had made a part, of the proceedings in that kingdom in 1792, and 1793, compared or rather contrasted with each other.

The rejection of the petition of the Catholics, in the House of Commons of Ireland, in 1792, for only a limited elective franchise, by the noble earl, at the head of a triumphant majority, pledges of lives and fortunes, for the perpetual exclusion of the Catholics, by every corporation throughout the kingdom, great and small, in which the ever obsequious corporation of the city of Dublin took the lead, but, unfortunately for the public, did not stand then, as it does now, the solitary example of intolerance, the miserable object of mi-

nisterial power. A Petition, notwithstanding all this, from a representative body of the Catholics, elected by all the Catholics of Ireland, sitting in the metropolis for many days, found its way to the foot of the throne, although the two noble earls, who then administered the Irish government, would not suffer it to pass through the regular official channel. The memorable session of 1793, opened with a speech from the throne, delivered by the noble earl in the blue ribband, strongly recommending to the parliament the Catholic Claims, and the elective franchise, unlimited and entire, and all the valuable concessions of the act of 1793, restored to the Catholics, by a Bill, introduced into parliament by the other noble earl, and backed by all the influence of his Majesty's government.

The obsequious Commons of Ireland, among whom, in the preceding year, forty-five were only found, who did not pledge themselves against the grant of any further concessions to their Catholic countrymen, now and for ever, inspired on the sudden with extraordinary sentiments of kindness and liberality; the intolerance of the petty corporations abashed and put down, and by the timely and discreet recantation of the Irish parliament, and the wisdom and firmness of a noble viscount (Melville) now no more, then the Secretary of State for the Home Department, and to whose memory, for this just and merciful act of his administration, I shall always look as to that of a great public benefactor, the important conciliation of 1793, accomplished, without a struggle.

So much for pledges, so much for consistency, so much for that infuriate religious phrenzy, which outstrips and insults reason; which is not the child of our understanding, but the offspring of our worst passions; which is not real, but affected; which is provoked, and excited, but not natural; which hypocrisy assumes, and interest deposes; which a tender heart could not feel, and an honest one would not practise.

But every former relaxation of the penal code, in favour of the Irish Catholics, from 1778, when their situation first engaged the attention of parliament, to the period of the great concessions of 1793, was in every instance, the measure of the ministers of the crown, recommended on the last memorable occasion, by the king's representative, in his speech from the

throne. And it was particularly fit and becoming, that so signal an instance of justice and mercy to his suffering subjects, should proceed from the gracious and immediate interposition of the common father of all his people. For in what other character could the sovereign power exhibit itself, with such appropriate grace and dignity? And so deeply is that feeling impressed upon my mind, that I should accept, with some mixture, almost of regret, as the mere triumph of the political struggle of contending parties, the important object for which I am now contending for my Catholic countrymen; if the unhappy circumstances of the present moment, did not lead me now nearly to despair of its accomplishment at any time, as the measure of unenforced liberality.

But, why was not this question already put at rest, and the good work of conciliating Ireland at least begun, by the gracious recommendation from the throne, of the Catholic Claims, as an early act of the Regent's unlimited government? For the last twelve years, the accomplishment of that healing measure had been rendered, perhaps, impossible, by those conscientious scruples, which were known to have existed in the mind of a certain illustrious individual; though the moment, at which the existence of such an obstacle was announced to the public for the first time, was assuredly not the most appropriate and satisfactory; under all the circumstances of the case. It was not, till after the ministers in both countries, and amongst the rest a noble viscount, who sits in the other House, had given to the Catholics the strongest grounds of being assured, at least of the early and favourable consideration of their claims, in the imperial legislature, and that they had accomplished the measure of union by such effectual aid, that they discovered, or at least communicated to those whose services they no longer needed, that they could not perform their part of this so strongly implied contract. It is, however, matter of public notoriety, that such an obstruction has now entirely ceased to exist. To whatever I or any other person may conceive to be the actual opinions of the Prince Regent, at the present moment, on this or on any other public question, I know it would not be parliamentary for me to allude in this place, But, if I may be permitted to argue, from what the opinions of the same illustrious person were known to have been, as prince

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of Wales, and before he had assumed the exercise of the executive functions—

Lord *Kenny* called the noble lord to order. He thought it highly disorderly to allude to the opinions of any person exercising the royal functions of the realm, or to conjecture what they were; as it was quite unparliamentary, to attempt to influence the deliberations of that House, by stating the opinions of the Prince Regent.

The Earl of *Donoughmore*. If the noble lord's patience in hearing me had not been overcome, by his excessive zeal to preserve order, he might have learned, by this time, that I had no intention of saying what he has supposed me to have said. Had the noble lord heard me out, he would have found, that I was speaking merely to a point of history, to what history records, to have been, at a certain period, the political sentiments of the then Prince of Wales; to that, as such, I contend I have a right to speak; and I must beg leave of the noble lord to add, that such unseasonable interruptions are not the best means to preserve order, and that all similar attempts to obstruct my humble efforts in this good cause, shall prove as impotent as the present. My Catholic countrymen have not placed their interests in such hands, as will permit them to be thwarted and put down, by interruptions so unseasonable, improper, and disorderly.

Lord *Kenny* appealed to the House, whether, in his view of the noble earl's argument, he was not justified in calling him to order. If, under that impression, he had unseasonably interrupted the noble lord, he regretted it. He had merely acted from a sense of his parliamentary duty, without intending any thing personal to the noble earl.

The Earl of *Donoughmore*. I admit that the interruption of the noble lord would have been perfectly just and seasonable, if I could have so entirely forgotten myself, as to have introduced the name of the Prince Regent, to influence the proceedings of this House. But what was the true statement of my argument? I had been reminding your lordships, that every former concession to the Catholics, had been the professed measure of the minister, and in the instance of 1793, recommended to parliament in the speech from the throne. I had been explaining to your lordships, why, in deference to the scruples entertained in a certain quarter, such a recommendation could not have been rea-

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sonably expected, during the last ten years, and I was naturally proceeding to enquire, why, since such obstructions were now entirely removed, no message had yet come down to this House, from the Prince Regent, respecting the Catholic Claims. Was this to be characterized, as an attempt to influence your lordships' deliberations, by the use of the name of the Prince Regent? My argument had an aspect directly the reverse. The object of my complaint was, and I thought it matter of serious regret, that the Regent had not, in this instance, exercised the legitimate authority of the third estate, by recommending a measure of such pressing importance to the consideration of parliament, and with which the former sentiments of his royal highness the Prince of Wales, were known to have been so completely in unison. Must I then be compelled to lament, the voluntary sacrifice of these acknowledged and avowed feelings, to the assumed scruples, and political religion of his Royal Highness's ministers? And is the public to be insulted still with the same ridiculous mummery? The convenient consciences of the ministers, and of their sovereign, continually changing places, and alternately giving way to each other, with the greatest mutual politeness, between the principal actors in this disgusting scene, and nothing appearing to be forgotten, but the interests of the people.

• On behalf of the Petitioners, I do not call upon your lordships to come at once to the immediate grant of any further concession, to the immediate repeal of any of the still existing disabilities. The object of the motion, with which I shall conclude, is for enquiry only. Can any man be prepared to say, that in the long list of exclusions by which the Catholics still continue to be kept, in a state of marked and degraded contradistinction to the rest of their fellow subjects, there is not one, from which they may with perfect safety to the state, from which they ought to be relieved? Is it possible, that there can be any one noble lord in this House, who is now prepared, at once and without the decency of some little previous consideration, to pass sentence of perpetual exclusion against them; from every constitutional privilege, to the enjoyment of which they have not been admitted already.

But the noble lord on the woolsack, in resisting, on a former occasion, a motion somewhat similar to the present, asked

your lordships, whether it was not absurd to charge those with whom he acted, with refusing to discuss the subject matter of the Catholic Petitions? Was not the House, argued the noble and learned lord, then engaged in that very discussion, into which we complain that we have not been permitted to enter? But the noble lord must have been perfectly aware, that it was impossible to give to any measure a due parliamentary consideration, excepting in a committee only. For what arguments can it require, to convince any reasoning mind that no great measure can be discussed with a view to any practicable result, except in a committee. And above all others, the case of his Majesty's Catholic subjects; split, as it is, into so many subdivisions, by the various heads of proscription, to which they are still exposed; and branching out, as it does, into so many complicated relations, of individual interests and public security. To refuse to a subject, so extensively complicated in its several relations, so deeply interesting to the public weal in its important results, a grave discussion in a Committee of the whole House, is to say, in effect, that you will not discuss the subject at all for any practical result; it is to shut your ears against the Catholic grievances altogether and for ever; it is to turn from the bar of this House unheard, four-fifths of the population of the sister country, who claim at your lordships' hands the restitution of their own constitutional rights; and the other Protestant million of the constituency of the same state, who demand a free and complete admission, for their Catholic fellow subjects, into the constitution of their country.

Having at all times, whenever it has fallen to my lot to address your lordships upon this subject, put the question on the strong ground of constitutional right, I will not now degrade its magnitude and importance, by condescending to enter into a detailed consideration of the particular impolicy and mischief of each existing disability; nor now be driven to argue every separate head of exclusion as a distinct grievance in itself, on its own peculiar constitutional demerits.

It is the principle of exclusion against which I raise my voice—that principle which would draw a line of perpetual demarcation between the citizens of the same common-wealth, the subjects of the same King—which would brand upon the foreheads of our Catholic countrymen

the foul imputation of unassured fidelity to the parent state—would claim for the Protestant part of the community the British constitution as their exclusive inheritance—and cut up by the roots every prospect of uniting those conflicting interests, by that complete and useful adjustment, which can be expected to stand on no foundation less assured than this; the enjoyment of the same constitutional privileges; the acknowledgment of the same constitutional rights.

Placing my argument on such high ground, I will not fritter its consequence away by endeavouring to shew, by a regular train of proofs, why the same man, to whom, as colonel, the command of a regiment is now confided, may not be safely trusted, as a general officer, with the command of a brigade; why those, who are already spread over the face of the whole country, as justices of the peace, and who, at the quarter sessions, in every one of the thirty-two counties, administer the functions of civil and criminal jurisdiction, so extensively, may not preside in the superior courts, as judges of the land; and why those who are already admitted into the elective franchise, should not themselves be eligible to the trust of representing others?

On the act of 1793 I take my stand, containing, as it does, a long catalogue of grievous disabilities: I produce it to your lordships as sufficient evidence, to prove the case of my Catholic countrymen, in the existence of those exclusions from constitutional privileges; the removal of which is the ground of their present appeal to the wisdom and justice of this House.

I produce the same statute to your lordships, as a most important document, in favour of the Petitioners' claims, in another point of view: inasmuch as, by the great importance of the privileges which it restores, it enacts the most authentic proof of the conviction of the legislature, that that class of persons, on whom it had conferred already so great a portion of political power, were worthy of perfect and complete confidence, as assured members of the Protestant state.

On that foundation, so ably and so broadly laid, in the statesman-like and weighty argument of a noble marquis (Wellesley) on a late occasion, I lay the corner-stone of my argument. I say with him, that every restraint, excluding a particular description of the subjects of any

state from the enjoyment of advantages possessed by the community, is in itself a positive evil.

Having thus shown the existence of the mischief, and established the title of the Petitioners to the enjoyment of these their common rights, from the intrinsic evidence of the statute of exclusion itself, I have fairly thrown it upon his Majesty's ministers to come forward, and exhibit to this House their apprehended dangers; and to shew to your lordships, if they can, that the removal of these exclusions would be attended with some great constitutional evil; that the continuance of them, at the present day, is rendered indispensable by some over-powering state necessity.

But here the advocates for perpetual exclusion interpose their never-failing objection, and ask us, with astonishment and dismay, whether we are really prepared to entrust the Catholics with political power? Surely, my lords, this argument has long since gone by; the question has been decided against their own objection, by the act of his Majesty's ministers of 1793.

For will any man affect to doubt, that the Catholics are in possession already of great political power? Is it not obvious that they are the electors of a great proportion, perhaps of the majority, of the Irish representatives? They are already admitted into the state, by the possession of the elective franchise; against the grant of which lord Clare, their great opponent, had argued, as the certain and necessary forerunner of seats in parliament. They have therefore thus acquired already, an irresistible claim to the restoration of that, the most important of all their present exclusions, from the evidence of the act of 1793, and the argument of as able, and as persevering an opponent, as the Catholic claims had ever to encounter, in any place, or at any time.

With respect then to those dangers which were still said to exist, as obstacles to the removal of the still existing disabilities, with respect to the additional securities which some still called for as indispensable, for the safety of the state, before that consummation of the justice of parliament, so devoutly to be wished for, could take place, it is only necessary for me, to desire your lordships to read the statute of his Majesty's ministers of 1793, as the title of the Catholics to the great constitutional privileges, to which they were then restored, as the firm foundation

on which they built their future hopes, as establishing the principle of legitimate claim on the one hand, and just concession on the other. For what did that statute say, in terms the most explicit? These are the tests of your fidelity to the constitution, this is the touchstone, by which your religion is to be tried, as it affects the Protestant state; take certain oaths, and disavow certain feelings imputed to your church, and we will heap upon you important advantages now, with an intention hereafter, of admitting you to a full participation of all those rights and privileges, of which you will thus have proved yourselves to be worthy.

But what is the language, and the conduct, and the conciliation of the ministers of the present day?—For these, I will first direct your lordships' attention to the proceedings of the other House of Parliament. The funds of the establishment at Maynooth, the only and exclusive source, as your lordships know, of education for the ministers of the Irish Catholic church, having been found inadequate to effectuate this, the avowed object of its institution, an application was made, and repeatedly pressed upon the Chancellor of the Exchequer, year after year, for such small addition to the annual grant, as should make it commensurate to the original purposes for which it was intended. What was the mighty sum required? An addition only of 4,000*l.* to the usual yearly grant! and that for affording the benefit of moral and religious education to the whole Catholic priesthood. But in what manner did the ministers receive, and answer this just and reasonable suggestion? With a blank, unqualified negative; and, as if to sharpen the edge of this disappointment, in itself sufficiently marked and goading, the scruples of the conscientious Secretary of State for the Home Department, are called into activity; and the Catholic insulted by the lamentations of the right hon. gentleman, that the college of Maynooth had ever existed at all, as an establishment supported by the state! Indeed, so much in hostility were the feelings of ministers here declared to be to all his Majesty's Catholic subjects, that it was matter of deep regret to this pure and upright servant of the crown, that the benefits of the education were ever, even in part, afforded to the members of that religion; the professors of which compose four-fifths of the whole population of the state, and where the conduct

of that population has been represented by a noble viscount, (lord Castlereagh) a member of the same House, and another of the ministers, [as more influenced by their priests than by the law, or any other authority or consideration whatsoever.

Permit me now to ask your lordships under what circumstances it is, as relating to the disposal of the public money, that the ministers dole it out for the education of the Catholic priesthood, with so reluctant and so grudging a hand, in times of an unexampled waste and profusion, when the sum of 13,000*l.* is granted at the same time, in the shape of stipends, to the members of the Irish Protestant Dissenters; certainly an excellent and much deserving body of men, but whose congregations scarcely comprize one-tenth of the population of that part of the United Kingdom; and when, in the pure spirit of proselytism, which we are not disposed to pardon in any sect of Christians, with the exception only of our national church, for the education in the Protestant charter schools, and in the principles of that religion, of a mere handful of the children of Catholic parents, is apportioned the enormous annual sum of 41,000*l.*

So much for the spirit of conciliation towards the Catholic part of the community, which has so strongly marked the proceedings of the other House of Parliament. Now we will look a little nearer home, and see what the spirit of conciliation has been in your lordships' House. In the printed report of a late debate, on the motion of a noble baron for the removal of the Regent's ministers, one of them, another noble baron, (lord Mulgrave) is made to ask, whether the Catholics did not say, that they would be satisfied with the concessions of 1793, and yet they come again, continues the noble baron, like the beggar in *Gil Blas*, asking alms, with a pistol pointed to your breast.

As this is put interrogatively, and not in the shape of an assertion, I have a right, without offence to the noble speaker, to whom it is attributed, as my own knowledge of the fact sufficiently enables me to do, to meet his lordship's question, with a direct and unqualified negative; neither did the Catholics themselves, nor any friend of theirs, condescend to enter into so unworthy a compromise on their behalf. On the contrary, during the progress of the noble earl's Bill in 1793, he will remember that further concessions were moved to be added to it by way of

amendment, by the supporters of the Catholic claims in the Irish House of Commons; the noble earl will, I am sure, also do me the justice of recollecting, that I expressed my acquiescence in his lordship's measure in the other House, as establishing a growing principle of legitimate claim on the one hand, and just concession on the other.

The intention of this argument, if it deserves that name, was obviously this: to represent the Irish Catholic to your lordships, as an untoward, untractable creature, who must always have in his mind ulterior views, which he is in the constant habit of concealing, and whom you can never hope effectually to conciliate, or entirely to satisfy. When it is by such arguments as these that the Catholic claims are assailed, it is material to shew how little these insinuations are supported by the fact.

With respect to that general and misplaced invective with which the noble lord appears to have indulged himself, against the character of the Irish people—on taking counsel from his own better judgment and returning discretion, he will assuredly join with me in thinking, that these were not fit expressions, by which to designate a high-spirited population, whose feelings to the sense of injury or insult, are not less acute than those of his lordship; and in defence of whose national and individual characteristics, there is fortunately no necessity to require either the opinion or the testimony of the noble lord.

Are my Catholic countrymen then, to be characterized as beggars, by his Majesty's mild, conciliating, and temperate ministers? If they are beggars, who made them so? They have, unhappily, had the full benefits of your instruction and fraternity, for the last 600 years. You complain of your own acts: it was your own barbarizing code which forcibly arrested from the Catholic the constitution of his country, which was his inheritance and his birthright—that made him, as it were, an alien in his native land. It was the all devouring spirit of your commercial monopoly which stripped my countrymen of their manufactures, their commerce, and their industry; it was your insatiate lust of power that degraded the parliament, and the nation, by the arrogant assumption of binding by your laws, another legislature as independent as your own.

But when, and under what circum-

stances did the Catholic, and the Protestant, and the parliament reclaim and recover their invaded right? In times of British weakness and apprehension. When did these invasions of their rights fall upon my countrymen with the greatest weight? In the most triumphant moments of British strength, pride, and prosperity.—Under such impressions as these, I feel it to be my bounden duty, earnestly to recommend to your lordships' prompt and favourable consideration, the manifold grievances of your Catholic fellow-subjects, whilst the grant may still preserve somewhat of the dignity and the grace of unenforced concession.

I am impelled by this additional motive to press these suggestions on your lordships' attention at the present moment, for the purpose of putting an end to those violent and unmanly threats, proceeding not from the ministers, but from behind the throne; of tranquillizing your Catholic petitioners by military execution, and returning an answer to their respectful application to the Prince Regent and to the parliament, by his Majesty's guards, and a certain illustrious personage; for the purpose of exhibiting to my countrymen more forcibly, the blessings of British protection; and thus conciliating, at the point of the bayonet, a brave and generous population, of four millions of fellow subjects. And finally, to protect the public peace against the recurrence, at any future period, of such unconstitutional, arbitrary, and sanguinary projects, as would justify and demand resistance from every lover of constitutional liberty, and detester of tyrannous oppression.

But, perhaps, such idle and impotent denunciations would be best answered by contemptuous silence, and by the consoling conviction, that their authors would assuredly, be more disposed to provoke hostility, than to take their place in the front of battle.

Since the commencement of the unfortunate reign of Charles the 1st, blindly welcomed by my Catholic countrymen, as a period pregnant with the happiest prospects, for their religion and for themselves;—to no event have they ever looked with so much confident and anxious hope, as to that auspicious moment, when, in the fulness of time, the present Heir Apparent to the crown should assume the government of these his realms. In him, they thought they saw the messenger of peace, with healing on his wing—the

promised guardian of the people's rights—of the fomented discord of his father's Irish subjects, the indignant spectator—of their interests, the avowed and zealous assertor—to Catholic privilege, an assured and plighted friend.

When the exercise of the executive functions was suspended, for the first time, by the same awful visitation, Ireland successfully maintained the cause of the Prince, not equally triumphant in this more favoured nation, committing to him, the legitimate heir to all the royal authorities, the administration of his own inheritance, till returning health should restore his sceptre to the suffering King.

The heart of the illustrious person overflowed with affectionate and just feelings; and my confiding countrymen fondly trusted, that they had bound their future monarch to them by a double tie.

How sanguine were these hopes! How strong and firmly rooted the foundations on which they seemed to rest! But they are gone—blasted at the moment of full maturity; and, instead of that rich and abundant harvest of national union and prosperity, which we were prepared to gather, as the first fruits of the promised conciliation of the illustrious person, the sharpened edge of a slumbering statute, which had never been awakened before for the annoyance of the people, called, for the first time, into mischievous activity, and turned against the Catholic, assembled for the lawful purpose of remonstrating for the redress of grievances; and those desperate men who dared thus to intercept, in their constitutional and legitimate progress to the parliament and to the throne, the petitions of an oppressed community of four millions of their fellow subjects, confirmed in the full possession of all their former power, in the full exercise of all their former intolerance, as the ministers of his own peculiar choice, by the first act of the unlimited Regent.

We have indeed been told, from the highest authority, that all remembrance of the past should now be buried, in mutual congratulations, on the happy prospects of the present moment—abroad, triumphant warfare—prospering commerce, and successful negotiation at home, universal satisfaction, tranquillity, confidence, and concord.

A New Era, it seems, has opened upon us;—but what, my lords, let me ask, are those peculiar circumstances from which this high sounding designation has derived

its distinguished character? What is there, in the whole range of foreign or domestic policy, which does not continue to occupy its own former position? with the exception only of the public conduct,—perhaps the present feelings and opinions;—I will never permit myself to believe, the principles of the illustrious personage himself.

For what act of mercy to a suffering people has introduced, and graced the inauguration, if I may term it so, of this new order of things? What grievance of the state not unredressed? What pledge of a long public life not unredeemed?—Confidence unbounded to those very ministers who, but last year, would not confide to that illustrious person, the unshackled discharge of those royal duties, of which, from the high privilege of his exalted birth, he was the natural and only representative.—The just claims of our Catholic fellow subjects, the conciliation of Ireland, and every former impression on these most interesting and important subjects, complimented away, as a premium and a boon, for the continuance of such an administration as was never permitted at any former time of equal exigency and alarm, to insult the feelings, and betray the dearest interests of a devoted people.

Such are the true characteristics of this inauspicious crisis—these the distinguishing features of the new era, unequalled for the easy abandonment of all preconceived opinions and former pledges, by any other, either of ancient or of modern times; the most prominent and striking circumstances of which, it has been my necessary, though painful duty, thus to expose to your lordships' view, and which have excited the deepest and most universal spirit of regret, astonishment and indignation.

The ministers have drawn as it were a magic circle round the throne, into which none are permitted to enter, on whom the confidence of the illustrious person has been accustomed to repose. Within its range the artificers of mischief have not ceased to work, with too successful industry. What phantoms have they not conjured up to warp the judgment, to excite the feelings, and appal the firmness of the royal mind? But, though the evil genius should assume a mitred, nay, more than noble form, the sainted aspect which political bigotry delights to wear, or the lineaments of that softer sex, which first beguiled man to his destruction—though, to

the allurements of Calypso's court, were joined the magic, and the charms of that matured enchantress, should the spirit of darkness take the human shape, and issuing forth from the inmost recesses of the gaming house or brothel, presume to place itself near the royal ear;—what, though the potent spell should not have worked in vain, and that the boasted recantation of all incumbering prepossessions and inconvenient prejudices, had already marked the triumph of its course—though from the royal side they should have torn the chosen friend of his youth, and faithful counsellor of his maturer years, the boast of his own gallant profession, the pride, the hope, the refuge of my distracted country, and a high and conspicuous ornament of yours—though they should have banished from the royal councils talents, integrity, honour and high-mindedness like his, and should have selected for the illustrious person, an associate and an adviser from Change Alley and from the Stews—though they should have thus filled up, to its full measure, the disgusting catalogue of their enormities, we must still cling to the foundering vessel, and call to our aid those characteristic British energies by which the ancestors of those, whom I have now the honour to address, have so often, and so nobly saved the sinking state.

Parliament must lay the spirit of evil which is abroad: beware how you neglect the performance of your part of that important duty. Public indignation, justly provoked, and the maddening sense of unheeded grievances and triumphant profligacy, are fearful reformers.

But I will not despair of better times. The illustrious mind cannot but loath the ignoble and degrading fetters by which it is enchained; the time cannot be distant, when the illusions of the present moment shall have vanished from the sight; may I not be permitted to anticipate the auspicious consummation of these my sanguine hopes? See, he has already rallied round him the men, in whom the nation puts its trust; the counsellors of his own unbiassed choice. See, he has broken the spell, and presents himself to his gratified country, with the olive branch of conciliation in his hand—

*"Restitit Æneas, clarâque in luce refalsit,
Os humerosque Deo similis"*—

in all the natural and fair proportions of his own generous and enlightened mind, to heal all our wounds, and to unite all his people.

But here, my lords, let me put to the ministers of the Regent, one serious question; have they ever permitted themselves to call to their calm and deliberate attention, what those circumstances are, of their own country and of other surrounding nations, under which they are still prepared to exclude, from the enjoyment of their constitutional rights, so large a part of the efficient strength of the state? Have these puny politicians of the present day, and who are incapable of extending their views to the consideration of to-morrow, condescended to measure the true dimensions and magnitude of those dangers, with which we are now encompassed?

When was there ever, at any former period, directed against the existence of any nation, so formidable a mass of gigantic means? From the gates of the seraglio to the frozen shores of the Baltic, is there one friendly arm uplifted in our defence? Has not the ruler of France surrounded, as it were with an armed bulwark, the coasts of Europe and her ports, against the adventurous enterprises of British speculation? For our exclusion, has he not effectually locked the continent up; and does he not keep the keys in his own hands? In the peninsula indeed, the brave defenders of their own invaded rights, have admitted us to the illustrious fellowship of fighting by their side, for the display of the best energies of our gallant troops; they have given us an extensive field, in the bosom of their own wasted country, and the happy occasion of still continuing to shed additional lustre on the British name, by the brilliant achievements of our distinguished leader, and the bright career of glory which he has run.

But is it, let me ask your lordships, the war of rival sects, or the thunders of the Vatican, which have convulsed and shaken to its centre astonished Europe? No, my lords, it is the sword of as great a conqueror as any, either of ancient or of modern times; it is the energy of that comprehensive mind, which, in the pursuit of its vast and magnificent projects, can unite all nations, languages, interests and religions.

At such a moment as the present, what pledge should be required from British subjects, of their fidelity to the state? Perpetual hostility to France, the foe to Britain, and to British greatness; universal amity, and union, and concord, and concentration at home.

The state of our relations with foreign powers, thus presenting to our view pro-

spects so truly dark and gloomy, and in the condition of our people at home, driven to despair, by the suspension of manufactures, the ruin of their trade, the weight of the public burthens, and the pressure of private distress, with so little to console and animate. With four-fifths of the population of the sister country, taught by the perpetual babble of our Anti-Catholic ministers, and by the concurrent testimony of their favourite code of proscription, that the Catholic subjects of the same King, must of necessity continue for ever, and under every possible change of circumstances, irreconcilable foes to their Protestant countrymen, and to the interests of the Protestant state. Under such circumstances as these, would not the confidence of the most assured believer in our deliverance from these impending dangers, be melted down, and every hope extinguished of the continuance of those relations, by which the discordant parts of this United Kingdom, have been so unsuitably linked together?

My lords; this is not precisely the favourable moment for sporting with the feelings of our Catholic millions; we have no indispensable necessity for strife or division. At a conjuncture like the present big with our fate, an awful crisis! when the union of all hearts and hands would not be more than enough to save us! wantonly to irritate to distraction, a generous, gallant, high-spirited population! the sinews of our military strength, is absolute insanity. It is the sure sign and prognostic of divine anger, dooming an empire to perish.

"Quippe, inductabilis fatorem vis, cuius-
cunque fortunam mutare instituit, men-
tem corrumpit."

Against the fatal effects of such mad and desperate counsels, the constitution, however, has not left the country without a resource. To parliament it has confided the salutary power of arresting the course of weak and wicked ministers; reforming the errors, and even rebuking the follies and the vices of the first magistrate of the state, whenever they become inconvenient or dangerous to the public weal. Sure I am, that we are now arrived at that alarming and portentous crisis, at which it has become imperative upon your lordships, to call into activity, for the salvation of the empire, those high controuling authorities with which you are invested. You have two weighty functions to discharge; the one, to conciliate a large and

important part of your population, driven by impolicy and rashness, to the brink of despair; the other, to deliver the nation from the obstinate incompetency of its present rulers. Happily these duties are not inconsistent one with the other. From his place in parliament, the first minister of the Regent has informed us, in an authoritative tone, that he has made a compact with the representative of his sovereign, and has obtained from his royal master, the rejection of Catholic concession, as the consideration and the price of his own present and future services. I therefore call upon your lordships, to acquire for yourselves, a double claim to the gratitude of the public; by opening wide the doors of this House, to a candid and just consideration of the Petitioners' case; and by the extensive and sweeping benefits of the same healing measure, to redress and wipe away the two great grievances of the state; the exclusion of our Catholic fellow subjects, and the administration of the right honourable gentleman.

But we must not be too sanguine in our hopes, nor promise to ourselves the easy accomplishment of an object of such incalculable public benefit. We must expect a hard struggle, and be prepared to encounter a resistance, decided and formidable, from those who have created the mischief, or nursed and brought it to maturity, and who are themselves the great grievance of which we complain. If by such a combination, our best efforts should be defeated for a time, it to the returning wisdom and justice of parliament, that the Catholics are still to look for ultimate and sure redress. Persevering with unabated ardour in the pursuit of this their claim of right, I would bid them beware of the suggestions of intemperate counsellors, or of yielding too much to the guidance of their own justly roused and irritated feelings; I would say to them in a voice to which they have been accustomed to hearken without distrust—

"Brave and much injured countrymen, do not take counsel from despair; continue to confide in the unquenchable energies of the British constitution; of which you are the joint inheritors with ourselves, and, which all the corruptions of the government have been insufficient to extinguish, the guardians of your rights and privileges are at their post. Except in one solitary instance, the firm phalanx of the friends of the people remains un-

broken. Office and emoluments,—power and honour the most distinguished, have been proffered in vain, as the price of political inconstancy, and of a disgraceful connection with the present administration; formed under auspices the most odious and disgusting, and whose watchwords are, intolerance and religious war. Even the Garter itself, that high and eminent distinction, has been put away;—as ceasing to be an object of honourable ambition; under the degrading colour of these disastrous times. The Catholic cause, and the cause of the British empire have been loudly proclaimed, by all our great constitutional leaders, to be one and the same. Eternal hostility has been sworn, against your calumniators and oppressors, upon the altar of our common country. The minions of the court have been dragged from behind the throne, and exposed to the view of an insulted public, and the whole system of misrule, by which this devoted empire is oppressed and goaded, has been denounced to this House by a noble friend of mine*—in a strain of masculine and indignant eloquence, which, if equalled at any time, has never been exceeded within these walls. That clumsy combination of vice and bigotry, from which you are now seeking for a deliverance—on your own part, and on that of the suffering community,—is composed of materials so wretched in themselves, and held together by a cement, which has in its nature, so little of what is permanent, or binding, that the whole pile exhibits, now almost at the moment of its construction, the obvious principle of decay—and, assuredly, cannot long continue to interpose itself, between the representative of the sovereign power, and the best interests of the people."

My lords; I will not permit myself to doubt of the salvation of my country—encompassed though it is, by difficulties and dangers on every side; and, that there is yet in store, for this united kingdom, a long and bright train of prosperity and of glory.

Animated by this consoling hope, I will still continue to recommend patience to my calumniated and oppressed countrymen; for the hour of their deliverance cannot be far removed.

My lords, I have done—and have only to express my acknowledgments, for

* Earl Grey, on Lord Boringdon's motion. See p. 80.
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the attention with which I have been honoured, during so long a trespass upon your lordships' time; and humbly to move you, That a Committee be appointed to take into consideration the laws, imposing civil disabilities, on his Majesty's subjects, professing the Catholic religion.

And to refer to that committee, the several Petitions of the Catholics of Ireland, now upon your table; and, also those of their Protestant countrymen, strongly in affirmance of the necessity of conceding to the justice of the Catholic claims. No counter petition having found its way to either House of Parliament, from any quarter, with the exception only of that solitary attempt, to raise the Protestant cry, in which the ministers have succeeded, in the obsequious city of Dublin, by a miserable majority of sixteen; and after a former baffled effort, these two classes of Petitions contain, I have a right to assume, a fair expression of the undivided sentiment of the Irish nation, on a question to them of vital importance, and not interesting, in any proportionate degree, to any other part of the United Kingdom.

It is also my intention to move your lordships, to refer to the same committee, the Petition of the English Catholics, that truly respectable class of our fellow-subjects; together with the several petitions for religious liberty; from different denominations of Christians; which were presented by my noble friend (Earl Grey) at the same time.

For the purpose therefore of taking into consideration, the laws imposing civil disabilities, on his Majesty's subjects professing the Catholic religion, I now move your lordships to resolve yourselves into a committee.

HIS ROYAL HIGHNESS THE DUKE OF SUSSEX:*

My lords; every good subject must respect the laws of his country. It is not enough to begin by submitting to them; but it is our duty also to maintain them as long as they exist. This obedience, which must be religiously observed, does

* From the Original Edition published by James Asperne, Cornhill, intitled, "The Speech of His Royal Highness the Duke of Sussex in the House of Lords, on the Catholic Question, April 21, 1812, with Proofs and Illustrations: *Inde data leges, ne fortior omnia possent.* Ovid, lib. iii. Fast."
(2 M)

not prevent us, however, from investigating the inconveniences of laws, which, at the time they were framed, might have been political, prudent, nay even necessary, but now, from a total change of circumstances and events, may have become unjust, oppressive, and equally useless. If, on enquiry, the subject finds himself aggrieved, his next step should be, to petition the Sovereign, or both Houses of Parliament, for redress. This is one of the greatest privileges of our glorious constitution, upon which too much stress cannot be laid, as it tends not only to secure the liberty of the subject, but likewise to ensure the tranquillity of the state. 1 William and Mary, stat. 2, c. 2.

Such memorials ought always to be drawn up, and presented with all humility and respect; when it becomes the duty of the legislature to receive them in that conciliatory and gracious manner, and to pay them that due and serious attention, as will convince the petitioners of the justice and relief they may reasonably expect from the inclination which the Sovereign and Parliament cannot but at all times feel, to benefit the loyal and faithful subjects of these realms.

Influenced by such motives, we ought, my lords, to take the Petition presented to us into consideration, and give it that thought which the importance of the matter demands; bearing in mind the additional weight it has received from the respectability of the signatures, as to consequence, moral worth, and numbers.

The subject of the Petition is momentous in the extreme, as it claims redress on particular points, which all must allow are intimately connected with parts of our constitution. We ought not, therefore, to treat this supplication lightly; but to allow it a patient and impartial hearing, so as to prove to the nation, that we have favoured it with such a serious and fair discussion, as is alone likely to conduct us to a temperate and proper conclusion; and that the memorialists may depart satisfied they have not been dismissed with an impetuosity and frivolity, ill-suited either to the gravity or dignity of the highest, and, in that sense, the last court of appeal and equity in this country.

All impassioned feelings, however useful and praiseworthy, even at other times, should be set at rest for the present, whilst we ought to clothe and invest ourselves with the wisdom, calmness, and scrutiny, of a Plato or a Socrates, in order that, by

comparing the different bearings, and weighing the various points, we may form a correct, unbiassed and disinterested opinion, as to the fitness, propriety, and expediency, of the measure. Here, bigotry must skulk to the dark and loathsome recess of ignorance, presumption, obstinacy, and ill-nature; making room for truth, knowledge, reason, and generosity. With such pilots at our helm, we may be certain of bringing our vessel to a welcome port, and to a secure anchorage.

Much has been said lately, my lords, of a New Era; I have sought for it on all sides, with the utmost care and anxiety, but in vain. If, indeed, I should find, that reason has so far got the upper hand, as to silence and stifle the tea-table talks, and curtain lectures, of the abigails in the metropolis: when every horrible story of murders, perjuries, and a long *et cetera* of crimes, is conjured up, collected, and adorned with the phrenetic tales of heated and weak imaginations, such as the ghosts of murdered Protestants heard at Cambridge to cry out for vengeance against bloody Papists*; and calculated for no other purpose than to frighten thoughtless children, like a Guy Faux, or to disturb the midnight repose of antiquated maidens.

If I should learn, instead of complimentary epistles addressed to divines under ministerial influence, encouraging and thanking them for inflaming the public mind by preaching on matters which had better be kept out of the pulpit—that a system of universal toleration, of evangelical charity, is to be held out, recommended, and approved;—then, indeed, I will bless the discovery, offering up my fervent and humble prayers of gratitude and adoration, before the altar of divine grace, and hail the nineteenth century as the era of light;—that era which we have so confidently expected, for which we have so constantly sought, and from which we have so continually strayed. An extent of time, to be counted, indeed, almost from the very first hour of the Fall of Man, but more particularly from the nativity of our blessed Saviour; not for the want of divine instruction, but from the misrepresentation of those sacred doctrines, which is solely to be attributed to the limited, selfish, and ambitious views of man alone, and to no other cause whatever.

* An affidavit to this purpose was sworn at the castle of Dublin, about 1641.

Pause then here, my lords, and let us examine the real source, the *primum mobile*, of those bloody tales, which have dyed the page of history with indelible and eternal disgrace. If the historian be impartial and correct, in man alone we shall find the whole to originate, who has at all times evinced himself to be an animal of blood; and the policy of states has seldom scrupled to associate, at least the name of religion, in the perpetration of its enormities. There is no doubt, but that state-policy, and the wicked love of power, was, and ever will be the first cause of those dissensions; and, therefore, to man alone must we look for their remedy.

If on us then, my lords, this task is to fall, if to us, in the midst of those difficulties, our fellow-subjects appeal for support, comfort, and redress; let us shew to the world at large, let us prove by our actions, let us convince Europe, more particularly appalled at this momentous crisis, that there does still exist a free country, an independent nation, in whose bosom, wisdom, justice, and generosity, still love to dwell, and fondly build their nests; that from that country, a light can, and will, go forth, to dispel and expose the dismal, the pestilential, and atrocious effects of tyranny, oppression, and atheism; and that those benefits, which elsewhere have been allowed by the all-wise, all-merciful, and all-powerful Director of human events to appear as originating in accident, and have been managed with the most refined Machiavelism, owe their rise and progress in this blessed island to a more pure, a more dignified, a more noble cause; to real unfeigned Christian charity, founded on the blessed Word of our Saviour, who came to save, not to destroy man.

I am well aware, my lords, that the man who ventures to speak the truth to contending interests, must expect the resentment of the fanatics on both sides; those men, who, losing sight of all religion, transfer the name to the secondary objects of their idolatrous doctrines, and veil their polluted politics with the sacred mantle of Christianity. To their resentment I know I am exposed; but the man who feels the *amor patriæ*, who disinterestedly and sincerely has the prosperity, glory, and welfare, of the nation at heart, should brave the danger, if he thinks he can be of any use; and arming himself with the courage of a Curtius, plunge into the gulph, should his country and his duty require it of him.

Inspired with these sentiments; fully acquainted with the political causes, which placed that branch of the family to whom I have the honour to belong, on the throne of these united kingdoms, and professing the religion of the country as by law established, with which I am satisfied, considering it the most perfect, as long as I believe, and I am convinced, that it is the most charitable, I think myself called upon to explain to your lordships, the motives and considerations which determine my vote upon this great question.

‘Homo sum; humani nihil à me alienum puto.’

I pretend to nothing else; nor wish but to recommend the moderation and gentleness, which belong to Christian hearts, instead of the rage which portrays the nature of tigers.

It is the cause of humanity and universal toleration that I am pleading, not from indifference to religion, which God forbid, but from a conviction that, when governments interfere with religious opinions, instead of protecting, they enslave them; which encourages hypocrisy; whereas they should tolerate their errors, without approving of them; suffering with patience all that their Maker permits from those errors to a far greater degree; and thereby endeavouring, after the example of our Saviour, to bring mankind back by a mild persuasion.

If man be prevented from manifesting his religious opinions and tenets, he will either become silent and a stranger to his neighbours, thus rendering himself suspicious to the commonwealth; or he will turn hypocrite, by connecting himself with a religion which he abominates, and which, therefore, can have no tie upon him; or he will end by being a free-thinker, an atheist, denying the existence even of his Creator; and consequently depriving society of that security by which the religion he originally was inclined to profess, would naturally have bound him.

In tolerating all religions, government becomes acquainted with their tenets, and of course knows the limits, as well as the extent, of the pledges requisite for the tranquillity of the state, besides what holds it has, or can have upon them.

The wisest and soundest policy would leave all religions quietly to themselves, so long as they neither attack morality nor subvert the public quiet, either by their ambition or intolerance; their variety would not fail to produce a rival-

ship, useful as a balance in the scale of power, and as an emulation to virtue. The state has no right to exercise its authority over the private opinions of any individual; but merely to notice those acts, which may endanger and disturb the regularity and good order of its civilized community. Man is amenable for his thoughts to no one except his Redeemer, who alone has the knowledge, power, and right to judge them.

A limited state may wisely adopt sumptuary laws; and, in that case, very prudently admit but of one religion; however, this would be a very narrow and weak policy in a great empire like ours, where the extent of our possessions calls upon us to govern a variety of nations, amongst whom there must naturally exist a diversity of opinions, and an industry which extends to an infinity of objects.

Thus situated, an enlightened, wise, and liberal government, should protect all religions, of whatever sects and casts, without any partial distinction; when jealousy, complaint of tyranny and oppression, and the loss of hope and confidence in the legislature (which must inevitably arise when they have been treated unequally and unfairly for a great length of time), would cease and give way to an union of interests. By such means alone can an immense state or empire exist, and be maintained, when every new acquisition and conquest will prove advantageous and beneficial. It was upon these principles that the Greeks and Romans conquered the greatest part of the known world; when they were every where acknowledged and considered benefactors and protectors, instead of conquerors and tyrants*.

* Cereali's speech to the Gauls, made to dissuade them from revolt. Speaking of the Romans, "Nos quamvis toties lacesiti, jure victoriæ id solum vobis addidimus quo pacem tueremur. Nam neque quies gentium sine armis; neque arma sine stipendiis, neque stipendia sine tributis, habere queant. Cætera in communi sita sunt: ipsi plerumque nostris exercitibus presidetis ipsi has aliasque provincias regitis; nihil separatim clausumve.—Proinde pacem et urbem, quam victores utique eodem jure obtinemus, amate, colite. . ."

This indulgence (of toleration) was no departure from the old maxims of government. In the purest ages of the common-

The same plan, our chief antagonist, who narrowly watches, and strictly adheres to the examples and instructive lessons of the ancients, has craftily pursued; and such is the balm, and even charm, of religious toleration, that it has caused his iron-yoke to be borne with less clamour; and that the French nation, lulled asleep by the consolation of a promiscuous and free exercise of their religious tenets, have lost sight of the inquisitors' fagot, and unguardedly, before they were aware of the danger, submitted to his temporal inquisitions and tortures†.

Should we not, then, take lessons of

wealth, Cybele and Æsculapius had been invited by solemn embassies. Livy, b. xi. p. 29. And it was customary to tempt the gods protectors of besieged cities by the promise of more distinguished honours than they possessed in their native country. (Pliny, lib. xxviii. Macrob. Saturnalia, l. iii. c. 9, he gives the form of evocation.) Rome gradually became the common temple of her subjects; and the freedom of the city was bestowed on all the gods of mankind. (Minutius Fælix in Octavio, p. 54.—Arnobius, l. vi. p. 115.) Gibbon.

Rome, the capital of a great monarchy, was incessantly filled with subjects and strangers from every part of the world, who all introduced and enjoyed the favourite superstitions of their native country. Every city in the empire was justified in maintaining the purity of its ancient ceremonies. Gibbon.

"Sic dum universarum gentium sacra suscipiunt, etiam regna meruerunt."
(Minutius Fælix, in Octavio.)

† Buonaparté's Speech to the Deputation of the Protestant Clergy, upon the destruction of the French Republic. "Je veux bien que l'on sache que mon intention et ma ferme volonté sont de maintenir la liberté des cultes. L'Empire de la loi finit ou commence l'empire indéfini de la conscience. La loi ni le prince ne peuvent rien contre cette liberté, tels sont mes principes et ceux de la nation et si quelqu'un de ma race devant me succéder oublioit le serment que j'ai prêté, et que' trompé, par l'inspiration d'une fausse conscience il vint à la violer. Je le voue à l'animadversion publique et je vous autorise de lui donner le nom de Neron." (Réflexions Philosophiques et Politiques sur la Tolérance Religieuse, &c. page 47.)

wisdom from our adversaries, and guard ourselves against such a dangerous weapon, wielded by the able hands of so wary a foe? By adopting a similar system of perfect toleration, which harmonizes so well with our constitution, and is so congenial with our ideas of liberty, we might produce incalculable advantages;—we should gain over fresh votaries to our cause, and lead the nation on to still greater victories and triumphs, by ensuring the united efforts and good wishes of many additional millions of grateful and loyal subjects.

Had we acted upon these salutary, generous, and luminous principles, such scenes as took place in the East Indies a few years ago would not have existed to be recorded by the historian to our disgrace as a nation, and as statesmen, whilst for a time they must have seriously injured us, in our interests and good name with the natives*.

By toleration, in short, is meant conformity, safety, and protection, granted by the state to every sect, that does not maintain doctrines inconsistent with the public peace, the rights of the sovereign, and the safety of our neighbour.

In proportion as civilization encreases in the world, diversity of opinions must naturally multiply; and on no subject so much as on that of religion, in which meditation has so great a share, in relation to the present security and future happiness of every individual.—As the mind of man improves, and expands by discoveries and communications with his fellow-

creatures, he is enabled to reason with greater advantage to himself, by comparison and reflection; and in no instance do the mental faculties shew their rapid strides so quickly, or under such a variety of forms, as in matters of religion.

The unlimited extent he is naturally inclined to give to his speculations in discussions; as also the fecundity of methods he invents, to view and judge of objects, naturally induce him to resort to persons, whose ideas assimilate the most with his own, when during his research after truth and happiness, he almost as by instinct shuns those individuals, whose opinions are not congenial with his own impressions.

From this cause, a multiplicity of small societies is originally formed, which, encreasing in numbers, become at length so many sects, or, in other terms, so many religions, for, though Christianity is a word, which, if properly understood, ought at least to unite us all together, yet by the misinterpretation of this august name, we abandon the reality for the shadow; which can but be traced to the infantine state of fallen man, in spite of all his acquired knowledge and boasted improvements.

A shade of difference on religious opinions, constantly gives rise to more acrimony and violence between the parties, than a total difference of faith: similar to the human heart, which is more liable to pass from love to hatred, than from love to indifference.

Let Christians agree in those points, which are admitted on all sides, as much as they differ with respect to private opinions of discipline; and dissension will soon cease.

The Roman Catholics, in common with the Protestants, believe in the mysteries of the Resurrection, Trinity, and Redemption; and are governed in matters of faith, by the same rules which govern the most enlightened divines in our Church,—that is, to admit things above, but not contrary to reason.

Church discipline, though useful and necessary, should not, abstractedly speaking, be a matter of separation between a Christian and a Christian; and provided they agree in matters of faith, and in moral sentiment, the great bar to communion is removed.

The first law is a law of eternal love, expanding into sentiments of benevolence, and teaching its votaries not only to forgive and forget injuries, but to return kind-

* P. 101, *Reflexions Philosophiques et Politiques sur la Tolerance Religieuse*, &c. "Ce que nous disons ici en faveur du Judaïsme, nous le disons de même en faveur de tous les cultes en général; car l'étendue de territoire et d'influence de l'empire Français nous rend peu de cultes étrangers. Déjà la France compte dans ses domaines, ou sous son influence, toutes les sectes Chrétiennes avec le Judaïsme dans ses anciennes possessions, elle compte l'Islamisme dans ses nouvelles vers l'orient; bientôt pour punir un ennemi qui provoque sa propre ruine par son orgueil, elle sera dans le cas de compter aussi diverses sectes des Indes, il est impossible en reconnoissant pour citoyens les membres de tant de nations diverses, de ne pas reconnoître et autoriser leurs cultes; car on auroit beau se le dissimuler, on ne gagne pas les cœurs si on contrarie les esprits, les uns ne vont pas franchement sans les autres."

ness for harm, and to do good for evil ; that, cemented by the blood of our Saviour, who suffered for, and redeemed all, who truly repent and believe in him, —we ought never to be divided, but always consider ourselves brothers of one flock.

My lords; had not the memorialists fully expressed their candid opinions, as to the doctrines of the supremacy, and of the infallibility of the Pope, I should think myself called upon to enter more minutely into an argument upon these topics, in order to convince your lordships that an opposition to such claims of the supreme Pontiff have, at all times, been invariably and constantly offered, by almost every temporal potentate professing the Christian faith, either in writings, or by the force of arms.

Many of the popes not only disclaimed temporal power over kings, but acknowledged themselves their subjects. In a letter addressed by Pope Gregory to the emperor Mauritius, who insisted on the publication of a law, he expresses himself to that very effect: "I being subject to your command, have caused the law to be sent into several parts; and because the law agrees not with God omnipotent, I have by letter informed my serene lord; wherefore I have in both done what I ought; obeyed the emperor, and not concealed what I thought for God."

Pope Eugenius received a caution from St. Bernard, admonishing him not to interfere in temporal matters in the following terms: "Earthly kingdoms have their judges,—princes and kings; why do you thrust your sickle into another man's harvest? St. Peter could not give what he had not. Did he give dominion? It is said in the Gospel, the kingdom of the Gentiles has dominion over them; but you not so: it is plain dominion is forbidden to apostles; go now, and there unite either dominion with the apostleship, or the apostle's dominion: you are plainly forbidden the one; if you will have both, you will lose both; you will be of the number of those of whom God complains: 'they have been princes, and I know 'them not.'"

Tertullian, a stranger to fear or flattery, has left an abridgment of the prayer offered up by Christian subjects for their Pagan rulers: "We pray for the emperors, and that God may grant them a long life and quiet reign; that their family may be safe, and their forces valiant:

their senate wise; their people orderly and virtuous; that they may rule in peace, and enjoy all the blessings they can desire, either as men or princes;—'et omnia quæ tendunt ad Cæsaris votum.'"

The popes themselves were used to take oaths of fidelity, as appears from a letter of Charlemagne to Leo the Third,* A. D. 796.

Many learned writers of the Church, amongst whom are numbered several popes,† call the king God's vicar on earth, forbid the priest to usurp the royal dignity; and confine the power of the Church to the dispensation of the divine, and that of the prince to the administration of temporal.

The Council of Constance in 1415, the Jesuits assembled at Ghent in 1681, and the clergy in France in 1682,‡ declared

* "Perlectis excellentiæ vestra literis, et auditâ decretali cartulâ, valde satis, gavisus sum, seu in electionis unanimitate, seu in humilitatis vestræ obedientia, et in promissionis ad nos fidelitate," &c. Inter Epistolas Alcuini, Ep. 84.

† Eleuterius.....	185
Silesius.....	405
Anastasius 2.....	498
Simachus.....	514
Gregory 2.....	731
Adrian 1.....	795
Leo 4.....	855
John 8.....	882
Nicholas 2.....	1061
Celestin 3.....	1199
Nicholas 3.....	1280

From St. Augustin, in his 115th Treatise on the Gospel of St. John. "Audite regna terræ audi circumcisio, audi præputium. Non impedio dominationem vestram, in hoc mundo, regnum meum non est in hoc mundo."

‡ "Ecclesiæ Gallicanæ decreta est libertates a majoribus nostris tanto studio propugnatas, earumque fundamenta sacris canonibus et patrum traditione nixa multi diruere moliantur; nec desunt qui earum obtentu premotum B. Petri, iisque successorum Romanorum Pontificum a Christo institutam iisque debitam ab omnibus Christianis obedientiam, sedesque apostolicæ in qua fides prædicatur et unitas servatur ecclesiæ, reverendam omnibus gentibus magistratem imminuere non varientur. Heretici quoque nihil prætermittunt, quo eam potestatum, quâ pax ecclesiæ continetur, invidiosam et gravem regi-

that kings and princes by God's ordinance are not subject in temporals to any eccle-

siastical powers: and that they cannot be deprived directly or indirectly by the au-

bus et populis ostendent: iisque fraudibus simplices animas et ecclesiæ matris Christiane adeo, communione dessociant. Quæ ut incommoda propulsemus, nos archiepiscopi et episcopi, Parisiis mandato regio congregati, ecclesiam Gallicanam representantes, una cum cæteris ecclesiasticis veris nobiscum deputatis, diligenti tractatu habito, hæc sancienda et declaranda esse duximus.

"1. Beato Petri ejusque successoribus Christi vicariis; ipsique ecclesiæ rerum spiritualium, et ad eternam salutem pertinentium, non autem civilium ac temporalium, a Deo traditam potestatem; dicente domino, regnum meum non est de hoc mundo; et iterum: reddite quæ sunt Cæsaris, Cæsari, et quæ sunt Dei Deo: ac proinde stare apostolicum illud omnis anima potestatibus sublimioribus subdita sit; non est enim potestas nisi a Deo: quæ autem sunt a Deo ordinatæ sunt: itaque qui potestati resistit, Dei ordinationi resistit. Reges ergo et principes in temporalibus, nulli ecclesiasticæ potestati, Dei ordinatione subijci, neque autoritate clavium ecclesiæ, directe vel indirecte deponi; aut illorum subditos eximi a fide atque obedientia, ac præstito fidelitatis sacramento solvi, posse; eamque sententiam publicæ tranquillitati necessariam, nec minus ecclesiæ, quam imperio utilem; ut verbo Dei, patrum traditioni, et sanctorum exemplis consonam, omnino tenendam.

"2. Sic autem inesse apostolicæ sedi ac Petri successoribus, Christi vicariis, rerum spiritualium plenam potestatem, ut simul valeant atque immota consistent sanctæ œcumenicæ synodi Constantiensis a sede apostolica comprobata, ipsoque Romanorum pontificum ac totius ecclesiæ usu confirmata, atque ecclesiæ Gallicanæ perpetua religione custodita decreta, de autoritate conciliorum generalium; quæ sessione quarta et quinta continentur; nec probati a Gallicana ecclesia, qui eorum decretorum, quasi dubiæ sunt autoritatis ac minus approbata, robur infringant, aut ad solum schismatis tempus concilii dicta detorqueant.

"3. Hinc, apostolicæ potestatis usum moderandum per canones spiritu Dei conditos, et totius mundi reverentia consecratos: valere etiam regulas, mores, et instituta a regno et ecclesia Gallicana recepta, patrumque terminos manere incon-

cussos: atque id pertinere ad amplitudinem apostolicæ sedis, ut statuta et consuetudines, tantæ sedis et ecclesiarum consensu firmatæ, propriam stabilitatem obtineant.

"4. In fidei quoque questionibus, præcipuas summi pontificis esse partes, ejusque decreta ad omnes et singulas ecclesias pertinere; nec tamen irreformabile esse judicium nisi ecclesiæ consensus accesserit.

"Quæ, accepta a patribus, ad omnes ecclesias Gallicanas, atque episcopos, iis spiritu sancto præsidentes, mittenda decrevimus; ut id ipsum dicamus omnes, simusque in eodem sensu, et in eadem sententia."

EXTRACT of the Work entitled TENTATIVA THEOLOGICA; of Father Antonio Pereira, a Portuguese Divine; printed in Lisbon in the year 1766, pag. 195.

SEVENTH PRINCIPLE.

When kings and sovereign princes obstruct the communications and appeals to Rome, it does not belong to the bishops to investigate the justice of such proceedings; but they are only to obey, and provide *pro interim* what may be necessary for the spiritual welfare of the subjects.

Doctrine of the Apostles upon the obedience due to sovereign princes.

Authorities of St. Athanasius, St. Augustine, and other fathers of the church upon the same subject.

PROOFS.

It is a principle of evangelical moral that we all ought to obey immediately the prince's commands, whenever the sovereign makes use of his rights, and that the object of his precepts is not contrary to the divine law; for then the Apostle says 'obedire magis oportet Deo quam hominibus.' St. Peter in his first Epistle, cap. ii. says, "Submit yourselves to every ordinance of man for the Lord's sake; whether it be to the king as supreme, or unto governors as unto them that are sent by him." And afterwards, "Servants, be subject to your masters with all fear, not only to the good and gentle, but also to the froward; for this is thank-worthy, if a man for conscience toward God, endure grief, suffering wrongfully." Thus taught St. Peter obedience to the faithful, without opposition to their lawful princes, although

thority of the keys of the Church : neither can their subjects be freed from fealty and obedience.

they may be as unjust and perverse as Nero, in whose life-time the Apostle wrote. St. Paul, a disciple of the same school, gives a similar instruction to the Romans, in his Epistle, chap. xiii. " Whosoever therefore resisteth the power, resisteth the ordinance of God, and they that resist shall receive to themselves damnation, wherefore he must needs be subject, not only for wrath, but also for conscience sake."

2. The ancient fathers of the church instructed in this doctrine of Christ and of his Apostles, taught every where that when the sovereign exercises his rights and powers, although unjustly, we must implicitly obey his commands, save when they order a violation of the law of God, or the natural law. Thus Tertullian and St. Augustin express themselves upon the same subject.—What command could be more unjust than to order any one into exile on account of the Christian faith ! And yet St. Cyprian, in his Epistle the 13th to Rogatian, affirms, that should a Christian, banished by a Gentile Emperor or pro-consul, return to his country in opposition to such an order, he ought then to be punished, not for being a Christian, but on the score of disobedience to his sovereign.—Theodoret, lib. iv. cap. 14, in writing of St. Eusebius, bishop of Samosata, who was banished by the emperor Valens, which his people wanted to prevent, states, that he only obeyed the laws of the Apostles, which commanded strict obedience to princes and magistrates ; and that he therefore immediately embarked for the place of his exile. The same Theodoret, lib. ii. cap. 27, farther relates of the two bishops, Eleusius of Cizyco, and Silvanus of Tarsus, that when they were threatened by the emperor Constantine with banishment, on account of their defence of the true faith against the Arians, they replied, that the emperor had the power to punish them, but they had the liberty to choose between pious and impious tenets.—St. Athanasius, in his Apology to Constantius, num. 26, explicitly declares that he will not return to Alexandria, from whence he was exiled, until the emperor's humanity should allow him to be recalled. Before this he had likewise stated, that he should even have obeyed the questor of that city, since he was a minister of the emperor.—

In canon law it stands, that kings acknowledge no superiors in temporals, and that appeals concerning temporals should

All these holy bishops knew very well that these commands of the emperor were unjust, iniquitous, and tyrannical : but as on the one hand they could not perceive that the object of these orders were to affect any personal disobedience on their part to the law of God, and on the other they felt that the emperor exercised his rights in so acting, they obeyed without opposition, and declared their readiness to submit to these unjust commands ; following implicitly the instructions laid down by Christ and his Apostles to all those who professed Christianity.

3. Since Athanasius, Melecius, Cyrilus, and Eusebius, obeyed Constantius and Julianus, who abused their authority, and thought, and declared, that they ought so to do ; who can discharge the bishops of Portugal from their duty of executing punctually so justifiable a command as the present order issued by our pious and prudent sovereign, prohibiting all his subjects from appeals or any communication with Rome ?—This ordinance has in its favour not merely the innate and manifest piety of the king our lord, which so transcendently shines as an hereditary virtue in all his actions, but claims it likewise as the practice of all Catholic kings, who by such prohibitions avenge the wrongs offered to their sovereignty without condemning the true religion. On the other hand, it does not appertain to the subject to investigate or dispute the justice or injustice of such royal proceedings ; nor is the sovereign obliged to communicate to his subjects the motives that have induced him thus to act ; because it is an established maxim, that when the object of the command does not exceed the limits of the regal power, but is contained within them, the presumption of justice is always in favour of the king. Besides it is equally certain that the object or intent of the present decree, which forbids to all Portuguese any communication with Rome, belongs to the authority of the sovereign, who has the exclusive right to determine, whether his subjects should or should not be permitted to go out of his kingdom, or to communicate with any foreign sovereigns or courts. Therefore should even the justice of his Majesty not be so evident as it is by the repeated manifestoes which our court has published, still upon the principle of cha-

not be brought to the pope's tribunal. Philip the Fourth of France, in a dispute

with Pope Boniface the Eighth, in 1303, addresses him in the following words:

rity towards our fellow creatures, and upon that of religious submission towards our sovereign, we ought all to presume that this royal decree is justifiable.

4. But let any one presume (which I do not even suppose) that the present decree is unjust; surely it is not more so than that decree of Constantius or Valens, which ordered Athanasius and Eusebius from Alexandria and Samosata, where God wished them to reside as bishops over their flocks; and yet they did both quit those cities, declaring that it was their duty so to do, in obedience to the emperor's commands. This decree is not more unjustifiable than another which the same emperor Constantius issued against nearly 600 bishops, who composed the general synod of the west, detaining them for several months at Rimini, during the severest part of the winter, under very great corporal sufferings, and to the most serious spiritual evil of as many dioceses. And yet the whole synod, though legal, (for Catholic it always was) petitioned the emperor to return to their provinces, declaring that without such permission they could not separate.—It is not more unjust than the decree of Mauritius, by which he prohibited his soldiers from becoming monks; when St. Gregory obeyed the emperor's commands by promulgating the law, thus confessing, that as a subject he ought so to do, although not in conformity with God's ordinance.—Finally, it is not more unjust than that decree of which Innocent 3, treats in his letter to a bishop of England, thus establishing the same doctrine. From this letter is taken the cap. Pastoralis, lib. 1, tit. 29. De Officio et potestate Judicis delegati.

5. Finally, let the nature or quality of this royal decree be what it may, certain it is, that by it all communication with Rome is prohibited *de facto*. It is also certain that in virtue thereof, all Portuguese are prohibited *de facto* from having recourse to the See of Rome, under heavy penalties. It is likewise clear that neither the bishops nor the subjects can remove these obstacles to the appeals to Rome, nor impede the decree. We are therefore in a situation in which we may with truth say, that we cannot have recourse to Rome or to the Apostolic See without its being the fault of those who wish to have recourse to those appeals from which they

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are prevented. The bishops ought therefore to act as if the said communication was impeded by war, pestilence, or any such cause, as a long schism, when it is not known who is the true Pope; without examining or enquiring whether the war is just or not, or whether the neutrality which the sovereign orders to be observed in his kingdom, by not obeying in such a doubtful case either the one or the other of the pontiffs, is prudent or not. Thus have the bishops of France and Spain acted in times of schisms and wars, and thus ought the bishops of Portugal now to act in the present rupture, remembering the excellent advice of St. Augustin in his book 22, against Faustus.

In Gallia, Belgio, et Sicilia Pontifici Legati ne minimam partem jurisdictionis exercent. Antequam autem in Galliam admittantur, indigent permissione Regis; bulla Legationis Parlamento Parisiensi exhibetur, in qua si quid inveniatur libertatibus ecclesiæ adversum, illud modificatur; sic verificatæ, approbatæ, et modificatæ facultates Nuntii registrantur, in omnibus Regiis curiis (Parlements) ad quarum districtus eadem facultates extenduntur; denique jurat Nuntius, se non aliter, quam ita, et quandiu Regi placitum fuerit, his approbatis facultatibus usurum. [Héricourt, Loix Ecclesiastiques, part 1, chap. 7, §. 6. seqq. Apud Justinus Febronius de Statu Ecclesiæ, cap. 2, §. 10.]

In Germania Nuntii Apostolici ampliore adhuc utuntur potestate, quam in aliis regnis; cognoscunt nempe illa, et decidunt causas in secunda et ulteriore instantia; non tamen id peræque in omnibus Germaniæ partibus: Moguntini e. g. nuntio ad tractum Rheni nihil jurisdictionis in sua Archidiocesi permittunt. Illæ variationes, tam temporum, quam locorum, sufficiunt ad probandum, omnia hæc, quantum cum essentialibus juribus Primatus necessariam non habent connexionem, mutationibus esse obnoxia, neque aliud fere habere fundamentum quam in origine falsas decretales, in conservatione majorem vel respective minorem potentiam, vigilantiam, et genuinorum jurium notitiam; quæ omnia in sacris non faciunt jus. [Justinus Febronius, de Statu Ecclesiæ, cap. 2, §. 10 de Primatu.]

Quod multi in Papa Jurisdictionem vocant, nos Authoritatem dicimus. Quis (2 N)

"We should have your Madness to know that we acknowledge no superior in tem-

rectius loquatur, judicent peritiores. Forte de re convenimus, sic que inutiles esset de voce concertatio. Saltem nos cum Tridentino loquimur, quod quoties de primariis Apostolicæ sedis in Ecclesia juribus agit, semper autoritatis, nunquam jurisdictionis vocabulo utitur. Vid. Sess. 7, in fine Præf. de Reform. et sess. 25, cap. 21. [Justin. Febr. ib. cap. 2, § 11.]

At the Council of Constance the two ambassadors of king John 1, of Portugal, protested against the Pope's interference in temporals, either directly or indirectly; as appears by the sess. 22, of the said council, which concludes in these words:

"That no order either of the Pope or of the council should be carried into execution, or in any way obeyed in the king's dominions, kingdoms or lands, without the king our lord's previous information thereof; and a notification of his consent, will, and pleasure signified thereon, conformably to the protest."

The same regulation was observed in the reign of John 2; for the reason stated by the learned Van Espen in his *Treatise De Placito Regio*, part 11, cap. 111, §. 2.

Justinus Febronius relates the same of Portugal, *De Statu Ecclesiæ*, cap. 9, §. 8; and to this day it is observed with respect to the Pope's Nuncio, as is to be found in Seabra's *Deducção Chronologica*, part 2, prov. 14, §. 139.

"When the Apostolic Nuncio arrives at Lisbon, he calls on the secretary of state for foreign affairs, and delivers to him the original brief of his commission: your majesty orders it to be examined by the state judges and your privy council, in whom you confide for their virtue, learning, and prudence, in order that you may learn their opinion and advice upon matters of such high importance, and be enabled to take your determination on the subject. This royal resolution is communicated by the secretary of state to the Nuncio: intimating to him in the most explicit terms those points, which are incompatible with the sovereignty of your majesty, the public peace of your subjects, or the laws and customs of your kingdom; and thus prohibiting him from exercising any of his powers which do not accord with your determination; at the same time the Nuncio is informed that his original

porals but God alone." Charles the Sixth of France, who reprobated as much as the

brief will remain at the secretary of state's office, until he acknowledges the communication made by the minister, and accompanies it with an assurance of conforming to the restrictions intimated to him. Upon the receipt of the Nuncio's reply the secretary of state returns him the original brief of his commission; and immediately communicates his answer. 1st. To the lord chief justice (*Regedor das Justiças*) in order that he may redress every grievance, upon an appeal of any of your subjects, in consequence of an attempt set up by the Nuncio in his jurisdiction contrary to the tenor or the spirit of the said restrictions: 2d. To the governor of the court of justice at Oporto, for the same purpose: 3dly. To the tribunal of the Palace (*Desembargo do Paço*) on account of the provisions there granted in cases of appeal: and, 4thly, To the prelates and superiors of all regular orders, to the intent that they may govern their inferiors without any foreign influence."

As to the election of bishops in Portugal, it has always been exercised by the king, as is positively asserted by the Portuguese Jurisconsult, Paschal Josephus Mellii, in his *Institutionum Juris civilis Lusitani*, Lib. 1. tit. v. §. 111, in these words: "In primis itaque Reges nostri ab antiquissimis inde temporibus ad particulares imperii sui ecclesias regendas, Episcopos nominarunt, et hanc nimirum facultatem ab ipsius regni primordiis execuerunt, quæ hodie nobilior quidem juris patronatus Regii pars habetur."

CONVENTION

Entre le Gouvernement Français et sa Sainteté, Pie VII.

Le Gouvernement de la République reconnaît, que la religion Catholique, Apostolique, et Romaine, est la religion de la grande majorité des citoyens Français.—Sa Sainteté reconnaît également que cette même religion a retiré et attend encore en ce moment, le plus grand bien et le plus grand éclat de l'établissement du culte catholique en France; et de la profession particulière qu'en font les consuls de la République.—En conséquence, d'après cette reconnaissance mutuelle, tant pour le bien de la religion que pour le maintien de la tranquillité intérieure, ils sont convenus de ce qui suit:

church, and particularly the University of Paris, the Milesium doctrines preached by

Pope John the Twenty-second, ordered him to retract them in the following words:

Art. 1^{er}. La religion Catholique, Apostolique, Romaine, sera librement exercée en France. Son culte sera public, en se conformant aux réglemens de police, que le Gouvernement jugera necessaires pour la tranquillité publique.

2. Il sera fait par le Saint Siege, de concert avec le Gouvernement, une nouvelle circonscription des dioceses Français.

3. Sa Sainteté declarera aux titulaires des evechés Français, qu'elle attend d'eux avec une ferme confiance pour le bien de la paix et de l'unité, tout espece de sacrifices meme celui de leurs sieges.—D'apres cette exhortation, s'ils se refusaient a ce sacrifice commandé par le bien de l'Eglise (refus neanmoins auquel sa Sainteté ne s'attend pas), il sera pourvu, par de nouveaux titulaires, au gouvernement des evechés de la circonscription nouvelle, de la maniere suivante.

4. Le premier consul de la republique nommera dans les trois mois qui suivront la publication de la bulle de sa Sainteté aux archevêchés et evechés de la circonscription nouvelle. Sa Sainteté conferera l'institution canonique suivant les formes établies par rapport a la France avant le changement le Gouvernement.

5. Les nominations aux evechés qui vacqueront dans la suite, seront egaleement faites par le premier Consul: et l'institution canonique sera donnée par le Saint Siege, en conformité de l'article precedent.

6. Les eveques, avant d'entrer en fonctions, prêteront directement, entre les mains du premier Consul, le serment de fidelité, qui etait en usage avant le changement du Gouvernement, exprimé dans les termes suivans.—' Je jure et promets a Dieu, sur les saints evangiles, de garder l'obeissance et fidelité au Gouvernement établi par la Constitution de la Republique Française. Je promets aussi de n'avoir aucune intelligence, de n'entretenir aucune ligue soit au dedans; soit au dehors, qui soit contraire a la tranquillité publique; et si dans mon diocese ou ailleurs, j'apprends qu'il se trame quelque chose au prejudice de l'etat, je le ferai savoir au Gouvernement.'

7. Les ecclesiastiques du second ordre prêteront le meme serment entre les mains des autorités civiles, designées par le Gouvernement.

8. La formule de priere suivante sera recitée a la fin de l'office divin, dans toutes les eglises catholiques de France.

" Domine salvam fac Rempublicani.
Domine salvos fac Consules."

9. Les eveques feront une nouvelle circonscription des paroisses de leurs diocese, qui n'aura d'effet que d'apres le consentement du Gouvernement.

10. Les eveques nommeront aux cures. Leur choix ne pourra tomber, que sur des personnes agréées par le Gouvernement.

11. Les eveques pourront avoir un chapitre dans leur cathedral, et un seminario pour leur diocese, sans que le Gouvernement s'oblige a les doter.

12. Toutes les eglises metropolitaines, cathedrales, paroissiales, et autres non aliénées necessaires au culte, seront mises a la disposition des eveques.

13. Sa Sainteté pour le bien de la paix, et l'heureux retablissement de la religion catholique, declare que ni elle ni ses successeurs, ne troubleront en aucune maniere les acquereurs des biens ecclesiastiques, aliénées, et qu'en consequence la propriété de ces memes biens, les droits et revenus y attachés, demeureront incommutables entre leur mains, ou celles de leurs ayant-cause.

14. Le Gouvernement assurera un traitement convenable aux eveques, et aux curés dont les dioceses et les curés seront compris dans la circonscription nouvelle.

15. Le Gouvernement prendra egaleement des mesures pour que les catholiques Français puissent; s'ils le veulent, faire en faveur des eglises, des fondations.

16. Sa Sainteté reconnait dans le premier consul de la Republique Française les memes droits et prerogatives dont jouissait pres d'elle l'ancien Gouvernement.

17. Il est convenu entre les parties contractantes, que, dans le cas ou quelqu'un des successeurs du premier Consul actuel ne serait pas catholique, les droits et prerogatives mentionnés dans l'article cidessus, et la nomination aux evechés, seront réglés, par rapport a lui, par une nouvelle convention. Les ratifications seront echangées a Paris dans l'espace de quarante jours. Fait a Paris, le 26 Messidor, de l'an 9 de la Republique Française.

In the year 1788, a committee of the English Catholics waited on Mr. Pitt respecting their application for a repeal of the penal laws; he requested to be furnished with authentic evidence of the opi-

"Retracts ou je te ferai ardre." This same pontiff was afterwards excommuni-

nions of the Roman Catholic clergy, and the Roman Catholic universities abroad, on the existence and extent of the Pope's dispensing power.

An ABSTRACT of these Answers of the six Foreign Roman Catholic Universities to the Questions proposed to them in the year 1788, are here added, the Originals of which H. R.H. the DUKE OF SUSSEX placed on the table of the House of Lords, April 21, 1812. The Questions were proposed in the Latin language, and the Answers were transmitted in the same language. The following Extracts are faithfully translated.*

The Three Questions.

I. Has the Pope or Cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or pre-eminence whatsoever within the realm of England?

II. Can the Pope or Cardinals, or any body of men, or any individual of the Church of Rome, absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

III. Is there any principle in the tenets of the Catholic faith by which Catholics are justified in not keeping faith with Heretics, or other persons differing from them in religious opinions, in any transactions either of a public or private nature?

EXTRACTS from the ANSWERS of the Faculty of Divinity of the University of LOUVAIN.

The Faculty of Divinity of Louvain having been requested to give her opinion upon the questions above stated, does it with readiness; but is struck with astonishment that such questions should, at the end of the 18th century, be proposed to any learned body by inhabitants of a kingdom which glories in the talents and discernment of its natives.

The Faculty being assembled for the above purpose, it is agreed, with the unanimous consent of all voices, to answer the first and second questions in the negative.

The Faculty considers the following

* Vide Appendix to Cuthell's Edition of the Debate upon the Catholic Petition 1805, where the Answers are introduced more at large.

cated for having maintained those tenets; which, of itself, would put an end to all

propositions to be beyond all dispute:—

1. That God is the author of the sovereign power of the state in civil matters.—

2. That the sovereign power of the state is, in civil matters, subordinate to God alone.—3. It follows, that this sovereign power is in no way, not even indirectly, subject to or dependent on any other power, though a spiritual power, or one instituted for eternal salvation.—4. It also follows, that no power whatsoever, whether of Cardinal, Pope, or of the whole Church assembled in general council, can deprive this sovereign power of the state of its temporal rights, possessions, government, jurisdiction, or pre-eminence; nor subject it to any restraints or modifications.—5. It also follows, that no man, nor any assembly of men, nor even the whole Church assembled in general council, can, on any pretence whatsoever, weaken the bond of union between the sovereign and the people; still less can they absolve or free the subjects from their oath of allegiance.—

6. Therefore, as in the kingdom of England the sovereign power of the state stands upon the same foundation, and its nature is well known; the Faculty of Divinity of Louvain has no doubt to apply what has been said before, in its utmost extent, to the kingdom and sovereign power of England.

Such is the doctrine which the Faculty of Divinity has derived from the Holy Scriptures, the writings of the ancients, and the records of the primitive church:—a doctrine that she will maintain with her last breath, and, with the help of God, impress upon the minds of her scholars.

The Faculty of Louvain holds that the principles here laid down by her are not peculiar to her. She believes that there is no society of learned men, at the present day, in the whole Catholic world, who would not willingly subscribe them (according to the common expression) with both hands.

Proceeding to the third question, the said Faculty (though astonished that such a question should be proposed to her) most positively and unequivocally answers, that there is not, and that there never has been, amongst Catholics, or in the doctrines of the church of Rome, any law or principle which makes it lawful for Catholics to

questions of supremacy and infallibility. This happened in 1334.

break their faith with heretics or others of a different persuasion, either in matters of a public or private nature. The Faculty declares the doctrine of Catholics to be :—That the divine and natural law, which makes it a duty to keep faith and promises, is the same, and that it is neither shaken nor diminished, whether those, with whom the engagement is made, hold erroneous opinions in matters of religion or not.

The said Faculty strongly protests against the imputation, that the Catholic church has, at any time, held a contrary doctrine. This, she asserts, is a calumny, invented and enforced against Catholics by the worst of men, who knowing their charges against the latter to be destitute of truth, endeavour to make falshood supply its place, and thereby render them odious to princes and nations.

In testimony of the above, we have caused this instrument, authenticated under the Seal of our University, to be signed by our beadle.

J. B. DE MAZIERE, S. T. D.

(L. S.) and Actual Dean.

By Command of my Excellent Lords and Masters, J. F. VANOVERBEKE,

Beadle of the Sacred Faculty.

Given at Louvain in an Extraordinary Assembly, Nov. 18, 1788.

EXTRACTS from the ANSWERS of the Sacred Faculty of Divinity of the University of DOUAY, copied from the Register.—Jan. 5, 1789.

At a Meeting of the Faculty of Divinity of the University of Douay, the Dean informed the members that the Catholics of England wished to have the opinions of the Faculty upon three Questions, the tenor of which is as follows :—I. Has the Pope, &c. &c. &c.

These Questions having been privately considered by each professor of divinity, and afterwards having been attentively discussed at the public meeting :—To the first and second of them the Sacred Faculty answers : That no power whatsoever was given by God, in civil or temporal concerns, either to the Pope and Cardinals, or to the Church itself ; and, consequently, that kings and sovereigns are not, in temporal concerns, subject, by the ordinance of God, to any ecclesiastical power whatsoever ; neither can their subjects, by any authority granted from

Alfonso the Fifth of Portugal, after his conquest over the infidels in Africa, con-

above to the Pope or the Church, be freed from their obedience, or absolved from their oath of allegiance.

This is the doctrine which the professors and doctors hold and teach in our schools : and this all the candidates for degrees in divinity maintain in their public theses.

To the third question the Sacred Faculty answers :—That there is no principle of the Catholic faith by which Catholics are justified in not keeping faith with Heretics, who differ from them in religious opinions. On the contrary, it is the unanimous doctrine of Catholics, that the respect due to the name of God, so called to witness, requires that the oath be inviolably kept to whomsoever it be pledged, whether Catholic, Heretic or Infidel.

Decided on the day and in the year above named, and signed by order of the Most Learned Doctors,

BACQ, Beadle and Scribe.

EXTRACT from the ANSWERS of the Faculty of Canon and Civil Law in the University of DOUAY, to the same Questions.

Having seen and attentively considered the above written Questions, and the Answers of the Sacred Faculty of Divinity to them, the Faculties both of the Canon and the Civil Law declare :—That they, without hesitation or doubt, concurred in the aforesaid answers of the fifth instant.

Subscribed, in virtue of our order, by our Scribe, this fifth of January 1789.

SIMON, Scribe.

[Here follow Certificates of the Magistrates of Douay, that the Sieur Bacq is Beadle of the Faculty of Canon and Civil Law in the said University.]

EXTRACT from the ANSWER of the Faculty of Divinity of PARISTO the Queries proposed by the English Catholics.

ANSWER TO THE FIRST QUESTION.

Neither “ the Pope, nor the Cardinals nor any body of men, nor any other person of the Church of Rome, hath any civil authority, power, jurisdiction, or pre-eminence whatsoever, in any kingdom, and consequently none in the kingdom of England, by reason of any authority, power, jurisdiction, or pre-eminence by divine authority, interest in, or any other means, be-

ceiving the ecclesiastical jurisdiction to be vested in him, delegated part of it to the

longing to the Pope or the Church of Rome."

This doctrine the Sacred Faculty of Divinity of Paris has always held, and, upon every occasion, maintained, and has rigidly proscribed the contrary doctrine from her schools.

Our Faculty devotes herself the more religiously to the defence of this doctrine, because she finds it perfectly consonant to the Word of God and the tradition of the Fathers.

ANSWER TO THE SECOND QUESTION.

Neither "the Pope nor Cardinals, nor any body of men, nor any persons of the Church of Rome, can, by virtue of the keys, absolve or free the subjects of the King of England from their oath of allegiance."—The present and the former question are so intimately connected, that the answer to the first immediately applies to the second. For what greater authority over a sovereign can be conceived, than the right of absolving and freeing subjects from their oath of allegiance to him? With what justice might it be said, That the kingdom of Christ is of this world, if the right of deciding upon and disposing of temporal kingdoms had been annexed to its authority, and conferred upon its ministers?

ANSWER TO THE THIRD QUESTION.

There is no "tenet in the Catholic faith, by which Catholics are justified in not keeping faith with heretics, or those who differ from them in matters of religion."

The tenet "That it is lawful to break faith with heretics," is so repugnant to common honesty and the opinions of Catholics, that there is nothing of which the advocates of the Catholic religion have complained more heavily than of the malice and calumny of their adversaries, in imputing this tenet to them. As it is rejected by Christians of every communion, and is repugnant to the fundamental principles, both of natural and revealed religion, we cannot think it incumbent on us to enter upon this subject, and we think it requires no discussion.

Given at Paris, in the General Assembly of the Sorbonne, held the 11th day before the Calends of March 1789.

LE CHEVALIER, Dean of
the Sacred Faculty.

order of Christ; granting them the ecclesiastical jurisdiction over all their posses-

By order of the venerable Dean and the Masters of the sacred Faculty.

HARDY, Scribe.

The JUDGMENT of the University of ALCALA upon the three Questions.

It is the opinion of the University, that none of the persons mentioned in the first question, either individually or collectively, or in any council assembled, have any right to civil authority. For the right of governing kingdoms, in civil concerns, as well as that of possession, was instituted before the Catholic Church was founded by Christ our Lord, the Author of that divine law by which they are governed, by which law he expressly declares he leaves it untouched, saying: "My kingdom is not of this world." The sense of these words is well explained by St. Augustine, Tract 115, in Joan. *Æ*. 2. "Listen," says he, "ye Jews and Gentiles; hear this, all ye nations of the earth: I interfere not with your dominion in this world. Be not seized with groundless fears," &c.

ANSWER TO THE SECOND QUESTION.

Having considered the state of England and its sovereign, the University in like manner, is of opinion, that none of the persons mentioned in the proposition has a power to absolve the subjects of his Britannic Majesty from the oath of allegiance which they have taken, or are bound to take, to his said Majesty, or to dispense with its obligations.

ANSWER TO THE THIRD QUESTION.

So persuaded is the University, that the doctrine, which would exempt Catholics from keeping faith with heretics, or other persons dissenting from them in religious matters, so far from being an article of the Catholic faith, is entirely repugnant to its tenets, that she could not have believed it possible there should exist any persons who would dare to impute to Catholics any thing so iniquitous, had she not learned, from the sacred Scriptures, that the same Pharisees, who had heard our Lord openly commanding to "Give to Cæsar the things that are Cæsar's," afterwards laid this very crime to his charge: "Ye have found this man perverting our nation, and forbidding to give tribute to Cæsar." But the devil, who moved their tongues to utter such falsehoods, has never desisted from perverting others in like manner.

sions beyond the seas; and which is in force at this present time. Francis the

These are the unanimous opinions of this University, after a mature deliberation, in a full assembly of the Doctors, this 17th of March 1789.

A DECISION concerning the three Propositions laid before the University of VALLADOLID by the English Catholics.

ANSWER TO THE FIRST QUESTION.

The University of Valladolid acknowledges no civil authority, power, jurisdiction, or pre-eminence, in the Roman Pontiff, Cardinals, or even in a general council, much less in any individual, either directly or indirectly, within the kingdom of Great Britain, or in any other kingdom or province, whether Catholic or not, over which they possess no temporal dominion.

ANSWER TO THE SECOND QUESTION.

Neither the Roman Pontiff, nor the Cardinals, nor any council, nor even a general council, can any way absolve the subjects of the King of Great Britain, or any other persons, whether Catholics or not, over whom they hold no temporal dominion, from their oath of allegiance, nor dispense with its obligations.

ANSWER TO THE THIRD QUESTION.

Amongst the articles of the Catholic faith, there is none which teaches that Catholics may lawfully break their faith with heretics, or any other person whomsoever dissenting from them in matters of religion. The obligation of keeping faith is grounded on the natural law, which binds all men equally, without regard to their religious opinions; and with respect to Catholics, it has still greater force, being confirmed by the precepts of the Catholic religion.

This is the decision of the University of Valladolid, signed by all and each of the professors, Feb. 17, 1789.

A DETERMINATION of the University of SALAMANCA, relating to the Concerns of the English Catholics.

All the Doctors and Professors being assembled, and the questions proposed to them having been for some time weighed, six members of the University, chosen out of the faculty of divinity and canon law, were appointed to draw up their Answers; which are as follows:

First of France, when he reduced the duchy of Milan, in 1520, appointed the

ANSWER TO THE FIRST QUESTION.

The same power, and no other, was given by Christ to Peter and his successors, the Bishops of Rome, and to the Universal Church, which to himself, as man, had been given by his Father: As the living Father sent me, I also send you. Now he invariably denied that he received any temporal power, by declaring that his kingdom is not of this world; by flying away when certain persons who wished to make him a king; by his answer to one who said to him, Master, speak to my brother to divide the inheritance with me; and by his commanding tribute to be paid to Cæsar. Therefore, since the rights of the King of England, whether they persecute or tolerate the Catholics, are founded on the same principles with those of all other sovereign princes under heaven, we are firmly of opinion, that neither the Roman Pontiff, nor the Cardinals, nor any council, nor any individual in the Catholic Church, by virtue of his communion with the Catholic Church, has any civil authority, power, jurisdiction, or pre-eminence in the kingdom of Great Britain.

ANSWER TO THE SECOND QUESTION.

The solution of this second question naturally arises from the principles laid down above.—We, therefore, without any hesitation, declare, that neither the Roman Pontiff, nor the Cardinals, nor any council, nor any individual of the Catholic Church, can absolve the subjects of his Britannic Majesty from their oath of allegiance, or dispense with its obligations.

ANSWER TO THE THIRD QUESTION.

The natural rights of men were not intended to be weakened by the law and doctrine of Christ, but to be confirmed by them. Now, nothing is more clearly engraved on the minds of men, by the law of nature, than the principle—that all men, however differing from each other in religious tenets, are, to every intent and purpose, in a state of equality with respect to negotiations, alliances, and compacts. The Spaniards, who, in point of zeal for the Catholic faith, yield to no nation under heaven, have entered into contracts both commercial and relating to peace, with the English themselves, and with other Calvinist and Lutheran states; and it would be an atrocious injury and a vile

bishop of Tarbes to exercise, sovereignly, all ecclesiastical jurisdiction in that country, without the intervention or authority of the pope. The emperor Charles the Fifth, when Clement the Seventh had made a league with Francis the First, abolished the papal authority all over Spain.*

However, I cannot refrain from observing, that in no country have the ambitious views and extravagant pretensions of the pope been more strenuously resisted, than by the sovereigns and the Catholic parliaments of these realms. The religious tenets of a people will always savour of their political principles; and to them they will be ever, more or less, accommodated. Great Britain, insulated from the rest of Europe by that element which naturally inspires every islander with high notions

calumny to assert, that such contracts have been, at any time, violated under the pretence of religion. Because we are Catholics, it is not necessary that we should be actuated by a persecuting spirit against those who are averse to our religion. Meekness and charity are its grand characteristics, and the examples left us by our predecessors recommend to us a contrary conduct.—Therefore, amongst the articles of the Catholic faith, there is none which teaches, that Catholics are not bound to keep faith with heretics, or with persons of any other description, who dissent from them in matters of religion.

Given at the University of Salamanca, A. D. 1789.—Signed, in the name of the University, by the Rector and six deputed Members.

* The Pope having granted the king, the tenths of all ecclesiastical benefices in Castile, to assist him to carry on a war against the Turks, a convocation of the clergy unanimously refused to levy that sum, upon pretence that it ought never to be exacted, but at those times when Christendom was actually invaded by the infidels; and though Leo, in order to support his authority, laid the kingdom under an interdict, so little regard was paid to a censure, which was universally deemed unjust, that Charles himself applied to have it taken off. Thus the Spanish Church, besides their merit in opposing the usurpations of the Pope, and disregarding the influence of the crown, gained the exemptions which they had claimed.—Robertson's Hist. of the Reign of Charles V. 8vo. edit. p. 80 and 81.

of self-importance, has uniformly and systematically cultivated and maintained a peculiar species of both civil and religious liberty, unknown almost to any other nation in the world. It is evident by all our books and records, that our ancient laws do give unto our king only the supreme power and jurisdiction, in matters ecclesiastical, not spiritual, and that the same laws do utterly exclude the pope in all causes.

In expressing myself in these terms, I mean the old common law, and statutes made in affirmance of the common law, which have been maintained for law, from time to time, for the space of 400 years before king Henry the Eighth was born; those judges who did expound these laws were not Protestants, or of the reformed religion, but old popish judges, which were in those days learned in the canon law, which is the only law that doth uphold and maintain the pope's supremacy.

The spiritual and civil authority are really distinguished, not by the matter, subject, or cause in which they are exercised; but by the nature of the act of power which they exert; and by the sanction or penalty wherewith they enforce it.

The civil power cannot punish with excommunication and other spiritual censures; nor can the spiritual power punish with fines, imprisonment, or other civil penalties,—except by commission and delegation from the civil powers; and then they become temporal.†

Already in the reign of William the

† Every Church claims to herself the power of inflicting spiritual punishment, independent of the civil magistrate, the Church of Rome, the consistories of Scotland, and all others.

When the Council of Two Hundred arrogated to themselves the power of denouncing and absolving from censures, and in consequence intended to absolve one Bertelier, Calvin ascended the pulpit, and with outstretched hands threatened to oppose force to force; exclaimed with vehemence of voice against the profanation, and forced the senate to resign their spiritual commission; Bertelier was punished in spite of the promise of the civil power.

Bertelier (Bayley, vol. 1, p. 783,) having been excommunicated in the year 1552, by the consistory of Geneva, made his complaint to the senate. The ministers were sent for to give their reasons for

Conqueror,—that illustrious warrior and sovereign, acceded to pay the Peter-pence, which was levied in this country ; but he

it ; and both parties being heard, the senate confirmed the excommunication.

Eighteen months after Bertelier had recourse again to the senate, who after having heard Calvin's opposition, pronounced that Bertelier should be admitted to the holy Sacrament. As soon as Calvin heard this news, he desired the Syndics to assemble the senate ; and when they were met, he represented his reasons, and concluded with an oath, that he would rather lose his life, than give his consent that such a man should receive the Lord's Supper. This is what Calvin wrote himself. His historian will tell us more of it. The clamour which was raised against the ministers, as if, in some respects, they had invaded the rights of the sovereignty, was the reason why the Council of Two Hundred ordered, that the final judgment of causes of excommunication should belong to the senate ; and that the senate might absolve the excommunicated as they should think fit. By virtue of this decree the senate granted letters of absolution to Bertelier, which were sealed with the seal of the republic. The sacrament was to be administered within two days. When Calvin came to hear of what had passed, he soon resolved what to do, and preached against the contempt of the Sacrament ; he raised his voice, lifted up his hands, and said he would imitate St. Chrysostom ; that he would not oppose force to force, but that he would rather be massacred than that his hands should present the holy mysteries to those who had been judged unworthy of them. This was a thunderbolt which confounded Bertelier's faction, so that it was not thought fit that he should present himself to the Communion.

The next day after the Sacrament, Calvin, accompanied by his consistory, desired leave of the senate, and of the Council of Two Hundred, to speak to the people about this matter, forasmuch as it concerned the abrogation of a law made by the people. This made so great an impression on the minds of the people, that it was resolved the Swiss Cantons should be consulted about it ; and that the decree of the Two Hundred should be suspended ; but that none should say that the ancient regulations had been in the least infringed. (Beza in vitâ Calvini ad Ann. 1553.) " In eam sententiam animis non mediocriter

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positively refused, by letter to pope Gregory the Seventh, his legate Hubertus's pretensions to swear allegiance to the pontiff.* His sons, William Rufus and Henry the First, continued in the same sentiments.†

The preservation of the Magna Charta, the first great bulwark of every Englishman's liberties, is solely to be attributed to the firmness of cardinal Langton, who,

immutatis itum est, ut suspenso illo diaciorum decreto statuentur petendum esse a quatuor civitatibus Helveticis iudicium nec interea præiudicium ullum fieri receptes legibus oportere."

By these means the consistory obtained a complete victory, and, in a manner, made the senate and the Council of Two Hundred buckle to. What would they have done in a democratical country ? Is it possible to rule over men who tell the people from the pulpit, that they would rather suffer themselves to be killed than consent that holy things should be profaned ? St. Chrysostom's example, properly alleged, is an artful way of threatening the government with an insurrection.

* The letter of William is extant in the *Miscellanea of Baluzius*, tom. 7, p. 127, and also in *Collier's Ecclesiastical History* in the collection of records, p. 713, No. 12. " Hubertus legatus tuus admonuit me quatenus tibi et successoribus tuis fidelitatem facerem, et de pecuniâ quam antecessores mei ad ecclesiam mettere solebant, melius cogitarem : unum admisi alterum non admisi." *Fidelitatem facere nolui nec volo.*

† William Rufus, and Henry the First, enjoyed their prerogative in causes ecclesiastical, and bestowed bishoprics and abbeys without the Pope's leave or confirmation ; and yet during their reign there were three stout bishops that succeeded one another in the see of Canterbury, (Stigand, Lanfranc, and Anselm) who did attempt to advance the authority of the Pope as far as they durst.

Thomas à Becket, in Henry the Second, (1164) who was the first to oppose the crown, subscribed to the constitution made at Clarendon, for the confirmation of the prerogatives of the crown, among which was one, that the appeals should be made from the archdeacon to the bishop of the diocese, next from the bishop of the diocese to the archbishop of the province, and from the archbishop of the province to the king,—which should be the highest and last appeal.

(2 O)

supported by the barons, refused to publish the excommunication, which was issued by the pope against those who should press king John to maintain his treaty with them. From those the sovereign had sought to get himself released; and to that end, had personally applied to the court of Rome: having at the beginning of his reign freely resigned to Innocent the Third his crown and independence; and of course placed himself under the papal protection.*

* And yet the monarch (John), according to Matthew Paris, wrote to the Pope, "that he would stand for the liberties of his crown unto his death, and that if the pontiff would not yield to do him right, he had archbishops, bishops, and learned men, in his realm, by whom the Church of England should be governed, and that from henceforth his subjects should not go a begging beyond the seas, for their judgment in cases ecclesiastical."—Yet after that, the king, being oppressed by the barons' wars, the Pope deposed him, and forced him to surrender both realms to his legate, and to receive them again, tendering a rent.

† Edw. the First, (1277) returning from the holy land, restored the ancient powers and prerogatives to the crown. In his time the archbishop of York lost his temporalities during his life, for refusing to admit the king's clerk to a benefice, alleging that it was full before, by provision of the Pope.

In the 30th assizes of Edward the First, (1303) he would have been drawn and hanged who brought the Pope's excommunication against a subject; but by the intercession of the chancellor and treasurer, he was permitted only to abjure the realm.

Edward the Second made the statute of Carlisle; whereby it was provided that no alien should have any benefices in England by the provision of the Pope.

Edward the Third (1327) made sundry statutes against such as purchased benefices by provision from Rome, putting them out of the King's protection, so as every man might lawfully kill them, as enemies to the King and Commonwealth.

In the 7th of Edward the Third (1334) the King alone make appropriations of the Church. In the 49th assizes the King alone make the priory of Westminster secular, which before was regular.

In the 17th it appears, in the book 22nd

The reigns of Edward the Third and Richard the Second, equally manifest the

assizes, tithes, which are mere spiritual duties, are in some cases due and payable to the King; namely, out of such lands as are not within the limits of any parish.

The King also granted episcopal jurisdiction to the archdeacon of Richmond. For this cause by the ancient common law, the King is not only supreme patron of all archbishopricks, and bishopricks, in right of his crown, (which he was wont to bestow immediately 'per annulum et baculum' without any canonical election; and afterwards when he did admit election; he ever reserved a royal assent unto himself) but he is also supreme ordinary, and hath supreme cure and superintendency over all the churches within his kingdom. And, therefore, if a church become void, the patron hath six months to present a fit pastor; and in his default the ordinary of the diocese; and in his default the archbishop of the province; and in his default the king shall present, as having the highest care to provide a fit pastor for the souls of his people. Doth not this prove his authority in ecclesiastical matters?

In the 20th of Edward the Third it appears, that all spiritual and religious houses of the King's foundation, are free from episcopal jurisdiction, and visitable only by the King's commissioners.

In the 22nd of Edward the Third, (1349) the King having presented a clerk to a benefice, the clerk was disturbed by one who had a bull from the Pope for the same benefice, upon which the disturber was punished with perpetual imprisonment.

Long time before the statutes of premunire, the ancient common law was, that whoever brought a bull of excommunication against any of the King's subjects, was adjudged a traitor, and whosoever brought a bull of provision to any benefice, committed the highest contempt against the laws, and did forfeit as much as he could forfeit.

The statute of the 25th of Edward the Third recites, "whereas in the 35th of Edward the First, it was represented late in the parliament, that the Church was founded in the state of prelacy to inform the king, lords, and people the law of God, in certain possessions, lands and fees, as in advowsons, which extended to great value, even assigned to the King and Lords,

same disposition to resist the encroachments of the pontiffs, which was also fol-

the founders of the Church, to prelates and men, to sustain the charge, and especially to archbishops, bishops, and others, and upon voidance to presentments, and collations to the benefices, did and ought to belong to the King and others as lords and advowees. And that the kings in former times were used to have the greater part of their council of prelates and clerks so advanced, that the bishop of Rome, encroaching to him the seignories of such possession and benefices, doth grant the same to aliens who never dwell in England; Cardinals who might not dwell here; and to others as well aliens as denizens, as if he were patron and advowee of the said dignities and benefices, as by the right of the laws of England he is not; thereby causing many grievances and inconveniences recited in the act, which shall not henceforth be suffered and allowed; whereupon it is prayed that the King ought and is bound by his oath, with accord of his parliament, to make remedy and law in removing the mischiefs and damages which hereof ensue.

It proceeds to enact that the election of archbishops, bishops, and dignities elective, shall be free as originally founded; that the patron and founders shall have the presentation to benefices upon voidances, and inflict penalties, to the extent of premunire, upon those who, under colour of authority or collation from Rome, disturb the proper elections and presentations.

The like penalties were by the statute of premunire (35th Edward the First, (1377) denounced against all that purchased, or pursued in the court of Rome, or elsewhere, any translations, processes, and sentences of excommunication, bulls, instruments, or any other things touching the King, his crown, his regalia, or his realm, and against all that brought, received, notified, or any ways executed them within the realm.

In the 33rd of Edward the Third, it is said, *Reges sacro oleo uncti spiritualis jurisdictionis sunt capaces*.

The 3d of Richard the Second, chap. 3d, enforced by 7th Richard the Second, chap. 12, further by 16th Richard the Second, chap. 5th, recites, that benefices have been bestowed of late contrary to the will of their founders and patrons, to divers people of a different language, and strange land and nations, and proceeds to

lowed by Henry the Eighth.† [See the Note marked † in page 563.] It is right,

detail the inconveniences arising from the practice; in which it provides remedy, by making it unlawful for any one to receive the profits of the benefices for them, or to remit, or account to them for the same.

The 16th Richard the Second, (1392) chap. 5, act of premunire for purchasing bulls, recites, that by the law of the realm persons have been used to sue in the King's courts, to recover their presentments to benefices, to which they had right to present, and upon obtaining judgment, the bishops, &c. having the institution of the benefices, have been bound to carry the judgment into effect; but of late, divers processes have been made by the bishop of Rome, and censures of excommunication passed upon certain bishops, for carrying the said judgments into effect; to the open disherison of the crown, and destruction of the king's dignity, further recites, that a report had been raised, that the bishop of Rome was about to translate prelates in the realm, without the king's knowledge and consent, contrary to the statutes of the realm, so that the crown of England, which hath been in no earthly subjection, but immediately subject to God, in all matters touching the regality of the same crown, and to none other, should be submitted to the Pope, and the laws of the realm be by him defeated.

The 2d section records a declaration of the Commons and Peers, temporal and spiritual, that the matters recited are against the right and dignity of the crown, and enacts that persons offending by suing, or purchasing at Rome any translations, processes, sentences of excommunication, bulls, or other instruments, against the king, his crown, regality, or realm, as is aforesaid, and who bring the same within the realm, and receive or make notification thereof, or any other execution thereof, within or without the realm, shall be put out of the king's protection, shall forfeit goods and chattels, lands and tenements, and be attached by their bodies, and brought before the king and his council to answer, to be otherwise proceeded against according to law, for derogation of the king's crown and dignity.

Under Henry the 4th, like pains were by several statutes to be inflicted upon such as procured from the bishop of Rome

though, to remark here, that personal motives had an additional sway, in creating

exemptions from obedience, regular or ordinary, and from payment of tythes; and these statutes against the usurpation of the see of Rome, made in the time of Roman Catholic princes, with the express assent of the bishops and prelates of the realm, were continued in force ever since; so that the acts in Henry the 8th and queen Elizabeth, against appeals to Rome, and in confirmation of the regalia and supremacy of the crown, in matters ecclesiastical, were no more than an affirmance of the common law, as it had been used and practised in the time of their royal progenitors.

By the 1st of Henry the 7th, the king alone, and none but the king, can grant to a place the privilege of a sanctuary.

9th Henry the 7th, the king alone, and none but the king, can found a spiritual corporation. And as the law adjudged them high offenders who brought in these bulls themselves, so when they were produced in any of the king's courts, they had no allowance or estimation at all. For though by the law an excommunicate person doth stand disabled, and is not to be answered in any action till he be absolved by the bishop who pronounce the sentence of excommunication against him; yet when the Pope's excommunications, under the leaden seals, were shewn forth in any of the king's courts, they were never allowed to disable such as were plaintiffs in any action, but were ever rejected as being of no validity in these kingdoms, as is reported every where in the ancient books of the years of Edward the 3rd, Richard the 2d, Henry the 4th, Henry the 6th, and Henry the 7th; whereof no student of the law is ignorant.

By the ancient common law, a writ of prohibition was awarded against such as did sue any subject in the court of Rome; and such suits and appeals are likewise prohibited by particular statutes, enacted in this kingdom, in the time of Henry the 6th and Henry the 7th.

24th Henry the 8th, chap. 12. (1532). Appeals to Rome disallowed.

Power and right of the king's courts, spiritual and temporal, in all matters belonging to their respective jurisdictions is provided for.

25th of Henry the 8th, cap. 19. (1533.) The clergy not to enact any canons, constitutions, or ordinances, without the con-

the separation between the monarch and the holy see; for in enacting those very

sent of the king, under pain of fine and imprisonment.

No canons to be carried into execution which are repugnant to the King's prerogative, or laws of the realm.

No appeals to Rome allowed.

Persons appointed to review the canons.

25th of Henry the 8th, c. 20. Provides for the mode of electing and consecrating archbishops and bishops; and restrains from paying first-fruits to Rome.

Chap. 21st, entitled, "An Act concerning Peter-pence dispensations."

1st Sect. recites, "Forasmuch as your Majesty is supreme head of the Church of England, as the prelates and clergy of your realm, representing the said Church in their synods and convocations, have recognized;" and proceeds to enact, that in future all pensions, censes, portions, and Peter-pence, such as used to be taken by, or on behalf of the bishop of Rome, shall surcease, and never more be levied.

Section 2d. That neither his Majesty, his heirs or successors, nor any of his subjects, shall in future sue to the said bishop of Rome for licences, dispensations, faculties, or other grants of any kind whatever, for any cause or matter whatever, for which such licences, &c. have heretofore been obtained; but in future the archbishop of Canterbury is to grant such licences, &c.

5th Sect. The archbishop is not to grant licences, &c. for matters unwonted, or unaccustomed, without the consent of the king in council first obtained.

17th Sect. If the archbishop refuse or deny granting the dispensations or licences to persons reasonably entitled to have them, the lord chancellor shall, upon complaint being made to him, issue the king's writ, requiring of the archbishop the reason of his refusal, and if necessary shall issue his injunctions to the archbishop.

19th Sect. declares, That it is not intended to decline or vary from Christ's Church in any matter of the Catholic faith; but to make an ordinance by policies necessary to suppress vice, and to preserve the peace of the realm; not seeking for relief or remedy upon worldly and human laws elsewhere than in the king, who ought to have an imperial power and authority thereon.

22nd Sect. Inflicts the penalty of pre-

laws, it was positively decreed, that nothing as to the faith was to be altered.*

Queen Mary,† who repealed Henry's statutes, prudently put this safeguard;—that the pope's bulls and briefs were merely to be confined to spirituals, without interfering either with the independence of the kingdom, or the independence of her subjects.

Queen Elizabeth,‡ her successor, who

munire on those who sue to the court at Rome, or obey processes from thence.

* 26th Henry the 8th, c. 1. (1534.) The king is made supreme head of the Church. The oath of supremacy was enacted in the reign of this king (Henry the 8th), a furious Roman Catholic; and the oath was approved of and taken by the whole body of bishops and clergy of England in convocation, and by all ranks and orders of men throughout the kingdom, very few excepted; and was as universally received and taken in Ireland, several years before any reformation of religion was either made or attempted in either kingdom.

† 1st of Edward the 6th, c. 12, Sect. 6th. (1547.) Enacts heavy penalties on those who affirm by words or preaching, that the king is not supreme head of the Church, or that any other is; or to compass to depose him; or to affirm that he ought not to be king. Sect. 7th. High treason to assert and preach, that the bishop of Rome is the supreme head of the Church; or by writing, word, overt act or deed, to teach or enforce that any other than the king ought to be sovereign or supreme of this country.

‡ 1st and 2nd of Philip and Mary, chap. 8th, declares the Crown, Lords, and Commons, repentant for the schism and disobedience committed in this realm, and being again received into the Church of Rome; it repeals the several acts of Henry the 8th, and also the 1st of Edward the 6th, chap. 12, in part, as to the Pope's supremacy. Sect. 42, enacts, That although the title of supreme head of the Church of England could never be justly attributed to, or claimed by any king of the realm, yet the use of such titles should not vitiate any deed or record in which such title is used. Sect. 53, enacts, That the ancient rights of the crown, existing before the statutes of Henry the 8th, are not to be considered as derogated from; and the Pope's holiness, and the apostolic see, are restored to and are to enjoy the

cancelled the acts of Philip and Mary, and re-established the supremacy over the Church of England, was as much, if not more, actuated than her father, by motives of personal security and the maintenance of her crown; to which her attention had been particularly called by Clement the Seventh's refusal to acknowledge king Henry the Eighth's divorce from Catharine of Arragon, prior to his marriage with her mother, and by an act the parliament had passed, declaring her illegitimate, although afterwards revoked.*

Still the Catholics, after Elizabeth had declared herself Protestant queen and governess of the Church, joined their sovereign in resisting the forces which Sixtus the fifth had influenced Catholic princes to employ against her; so much so, that the Spanish admiral observed, that on landing he would make no distinction be-

authority and jurisdiction they had prior to those acts of Henry the 8th, by virtue of the Pope's supremacy, without diminution or enlargement.

This act is entitled, "An Act for repealing the articles and provisions made against the apostolic see of Rome, since the 20th year of king Henry the 8th; and for the establishment of all spiritual and ecclesiastical possessions and hereditaments conveyed to the laity."

* 1st Elizabeth, chap. 1st, entitled, "An act to restore to the crown the ancient jurisdiction over the state ecclesiastical and spiritual, and abolishing all foreign powers repugnant to the same;" revokes and repeals 1st and 2nd Philip and Mary, and revives statutes of Henry the 8th.

Sect. 16th, enacts, That no foreign prince, person, prelate, state or potentate, spiritual or temporal, shall have or enjoy any power, authority, jurisdiction, pre-eminence or privilege, spiritual or ecclesiastical, within the realm, but from henceforth the same shall be utterly abolished.

Sect. 19th, Directs the oath as to the supremacy.

5th Elizabeth, chap. 1st, entitled, "An act for the assurance of the Queen's royal power over all estates and subjects within her dominions."

Sect. 2. Penalty of premunire against those who extol, set forth, maintain, or defend the authority, power, or jurisdiction of the see of Rome, heretofore claimed, used, or usurped within this realm, or the King's dominions.

tween a Catholic and a Protestant, save what the point of a sword would have made between their flesh.

As to the Papal infallibility, it is a doctrine as absurd in itself, as pernicious in its consequences;—the spurious child of arrogance, fostered by credulity, and nurtured by servile adulation. The best informed Catholic divines do not acknowledge this principle as to the person of the Pope, but merely in the sense of the general Church; and as, by their tenets, the Church can never make a new article of faith, nor command any thing against the laws of God, so it can only declare what has been revealed.

With regard to the spiritual rights of the Pope, the landmarks are erected, which cannot therefore be permitted to be removed: subordination in every society requires pre-eminence in its rulers; but his will is not their creed. Any deviation from the laws of God, the rights of nature, or the faith of the fathers of the Church, would be a fatal rock, upon which the pontiff himself would split.

These are the opinions of some Popes themselves; and history records the imprisonment and excommunication of more than one, which must act as an extinguisher on these extravagant and dangerous assumptions, which have originated in the cowardly, ignorant, and interested views of sovereigns themselves, and have afterwards been abused, and, from custom, claimed as a right by the worldly and crafty arts of ambitious and designing pontiffs.

The only other serious political objection, which has ever been violently urged against the Catholics, is the supposition of their not considering themselves obliged to keep faith with heretics. Their own especial refutation given to this charge, in the most positive terms by the oath of allegiance, which they take, is a sufficient contradiction to a stigma that has been thrown upon their character in times of religious controversies, when both parties seemed emulous which of the two should blacken the other the most*.

* I. Is the Oath and Declaration prescribed by the British parliament of the 31st of his present Majesty, and which is taken by all English Catholics.

"I, A. B. do hereby declare, that I do profess the Roman Catholic religion."

"I, A. B. do sincerely promise and swear, that I will be faithful, and bear

However, some opinions of Catholic divines and jurists, as to this very point, will

true allegiance to his majesty king George the third, and him will defend to the utmost of my power against all conspiracies and attempts whatsoever that shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to his Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: and I do faithfully promise to maintain, support and defend, to the utmost of my power, the succession of the crown; which succession, by an act entitled, An Act for the further limitation of the crown, and better securing the rights and liberties of the subject, is, and stands limited to the princess Sophia, electress and duchess dowager of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the crown of these realms. And I do swear, that I do reject and detest as an unchristian and impious position, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being heretics or infidels; and also that unchristian and impious principle, that faith is not to be kept with heretics or infidels: and I further declare, that it is not an article of my faith; and that I do renounce, reject, and abjure the opinion, that princes, excommunicated by the Pope and council, or any authority of the see of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or any person whatsoever; and I do promise, that I will not hold, maintain, or abet any such opinion, or any other opinions contrary to what is expressed in this declaration: and I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly, or indirectly, within this realm: and I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the see of Rome,

add, if necessary, additional weight to their assertions.

or any person whatever, and without thinking that I am, or can be, acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with, or annul the same, or declare that it was null or void.—So help me God.”

II. The Oaths and Declarations prescribed by the Acts of the Irish Parliament to Irish Roman Catholics.

The first is the oath of allegiance and declaration, prescribed by the Irish act of the 13th and 14th of his present Majesty; and is taken by all Irish Roman Catholics.

“I, A. B. do take Almighty God, and his only son Jesus Christ, my Redeemer, to witness, that I will be faithful and bear true allegiance to our most gracious sovereign lord king George the third, and him will defend to the utmost of my power against all conspiracies and attempts whatsoever that shall be made against his person, crown, and dignity; and I will do my utmost endeavour to disclose and make known to his Majesty, and his heirs, all treasons and traitorous conspiracies, which may be formed against him or them; and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the crown in his Majesty’s family, against any person or persons whatsoever, hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the style and title of Prince of Wales, in the life-time of his father, and who since his death is said to have assumed the style and title of king of Great Britain and Ireland, by the name of Charles the third, and to any other person claiming, or pretending a right to the crown of these realms; and I do swear that I do reject and detest, as unchristian and impious to believe, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being heretics, and also that unchristian and impious principle that no faith is to be kept with heretics: I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure, the opinion that princes excommunicated by the Pope and council, or by any authority of the see of Rome, or by any authority whatsoever, may be deposed or murdered by

Justinian declares, that he acts contrary to the law,—who, confining himself to

their subjects, or by any person whatsoever; and I do promise, that I will not hold, maintain, or abet, any such opinion, or any other opinion, contrary to what is expressed in this declaration: and I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm; and I do solemnly in the presence of God, and of his only Son Jesus Christ, my Redeemer, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the see of Rome, or any person whatever, and without thinking that I am, or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons or authority whatsoever, shall dispense with or annul the same, or declare that it was null and void from the beginning.—So help me God.”

The next is the oath and declaration prescribed by the Irish act of the 33d of his present Majesty, and is taken by all Irish Roman Catholics, wishing to entitle themselves to the benefit of that act.

“I, A. B. do hereby declare, that I do profess the Roman Catholic religion.”

“I, A. B. do swear that I do abjure, condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any persons whatsoever, for or under the pretence of being a heretic: and I do declare solemnly before God, that I believe that no act in itself unjust, immoral, or wicked, can ever be justified or excused, by or under pretence or colour that it was done either for the good of the Church, or in obedience to any ecclesiastical power whatsoever. I also declare, that it is not an article of the Catholic faith, neither am I thereby required to believe or profess that the Pope is infallible, or that I am bound to obey any order, in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order; but on the contrary, I hold that it would be sinful in me to pay any respect

the letter, acts contrary to the spirit and interest of it; and whosoever, to excuse himself, endeavours fraudulently to illude the true sense of a law, by a rigorous attachment to the word of it, shall not escape its penalties by such prevarications*.

S. Isidorus, apud Gratianum, states, whoever swears, must do it according to the intention of him to whom he swears, let the mode and form of the expression be what it will†.

In the general council of Constance, even where the conduct of that assembly towards Huss is cited by Protestants, in

or obedience thereto: I further declare, that I do not believe that any sin whatever committed by me, can be forgiven, at the mere will of any Pope, or any priest, or of any person or persons whatsoever, but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness, and that any person who receives absolution without these previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament: and I do swear that I will defend, to the uttermost of my power, the settlement and arrangement of property in this country, as established by the laws now in being: I do hereby disclaim, disavow, and solemnly abjure, any intention to subvert the present Church establishment, for the purpose of substituting a Catholic establishment in its stead: and I do solemnly swear, that I will not exercise any privilege to which I am or may become entitled, to disturb and weaken the Protestant religion and Protestant government in this kingdom. —So help me God."

All our English Protestant colonies in America revolted and joined France, while Catholic Canada was the only place which preserved its fidelity, in which France could not get a footing, and the only peopled American colony which now belongs to us.

* "Non dubium est in lege committere eum qui verba legis amplexus contra legis nititur voluntatem: nec pœnas incertae legibus evitabit, qui se contra juris sententiam, sæva prerogativa verborum fraudulenter excusat." Justinian.

† "Quacunque arte verborum quisque jurat Deus, tamen qui conscientiae testis est, ita hoc accipit, sicut ille qui juratur intelligit." Isidorus apud Gratianum.

proof of the accusation, urged against Catholics, for breach of faith to Heretics,—Pope Martin the fifth declared, that it is not lawful for a man to perjure himself on any account, even for the faith; it further adds, "let the persons suspected be asked, whether he, or she, does not think that all wilful perjury, committed upon any occasion whatsoever, for the preservation of one's life, or another man's, or even for the sake of faith, is a mortal sin."

If any additional contradiction were requisite, the behaviour of the illustrious empress, Maria Theresa, towards her Protestant subjects in Hungary, must satisfy the most cavilling disposition, as to the sincerity and strictness with which a Catholic princess fulfilled her promises, made to a body of men, commonly called Heretics, in the hour of distress.

That magnanimous heroine, surrounded on all sides by numerous and powerful foes, ready to invade her dominions, and to make her captive,—armed the softer and more delicate feelings of her sex with a manly and martial firmness. She took in her arms her infant son, and shewing him to her subjects of every description, "Behold your prince," says she, "unable to guard you; defend his rights; and when he shall be able to sway the sceptre, the grateful remembrance of your services shall procure you his favour, love, and protection."

Her Protestant subjects of Hungary flocked to her banners, and, as a reward of their loyalty, she repealed the restrictive laws which former sovereigns had enacted; she made it high treason to molest them in the exercise of their religion; this toleration Maria Theresa began in her hereditary kingdoms, and Joseph the second completed the emancipation all over his dominions, by restoring his Christian subjects, of every denomination, to the freedom and rights of citizens.

How different the conduct observed by this great princess, contrasted with the policy of our Queen Anne towards her Irish subjects. She gave the death-blow to the Catholics, for having fought in her father's cause, before they could have any notion that she would wield the sceptre, which had dropped from his feeble and enervated hands, and even riveted the chains of the dissenters, who had procured her succession, by the previous exaltation of her brother-in-law to the throne*.

* 1st of Anne, stat. 11, cap. 17.
"An Act for enlarging the time for taking

The Protestants, under king William, fought much, for what the Catholics now humbly solicit—Emancipation.

James* proceeded on the same plan—in

the oath of abjuration; and also for recapacitating and indemnifying such persons as have not taken the same by a time to be appointed; and for the further security of her majesty's person, and the succession of the crown in the Protestant line: and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors."

3d Sect. High treason to attempt, by overt act or deed, to alter the succession.

The remaining clauses of the Act extend to Ireland, the provisions (enacted in England) for persons holding offices there, taking the oaths and declaration of the 13th William the third, cap. 6, and 1st of Anne, stat. 1, cap. 22, and 3d of William and Mary, cap. 2.

10th Sect. No peer or commoner to sit in Irish parliament, without taking and subscribing the oath and declaration prescribed by 3d William and Mary, cap. 2.

* 2d James the first, cap. 4, (1604) entitled, "An Act for the due execution of the statutes against Jesuits, seminary priests, and such like other priests, and recusants."

1st Sect. All the statutes of Elizabeth on this subject are to be strictly obeyed and enforced.

2d Sect. A recusant conforming himself to the Church is discharged from penalties.

3d Sect. His heir not being a recusant and conforming to the Church, and taking the oaths, is discharged from the penalties arising from his ancestor's recusancy.

6th Sect. Persons sending a child, or other person, abroad for the purpose of instruction and education in the Popish religion, to forfeit £.100. for each offence; and the child or person so sent, made liable to the various disabilities.

7th Sect. Persons already abroad for this purpose, to return within twelve months, or to be subject to various disabilities. A provision made for those who do return.

8th Sect. No woman or child under twenty-one years of age, except sailors or ship boys, or apprentices, or factors of some merchant, that be permitted to pass over the seas without a licence from the

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England, as has been unfortunately too much the system observed in Ireland afterwards, in spite of the treaty, or rather armistice of Limerick. This dreadful code of oppression was manifestly the effect of national hatred against the conquered nation, whom the victors were inclined to trample upon. They were not the effects of their fears, but of their security. What was done then, was not done,

king's council, upon pain that the officer of the port, who allows them to pass, shall forfeit the office and his goods and chattels; the owner of the ship which carries them forfeiting the vessel; and twelve months imprisonment to the master of the ship, and forfeiture of goods.

9th Sect. Penalty of 40s. per diem upon any one keeping a school, or being a schoolmaster out of any of the colleges or universities; unless it be some public or free grammar school, or in the house of some nobleman or gentleman, not being a recusant; or the schoolmaster being licensed by the ordinary, penalty attaches to the schoolmaster, as well as the person who maintains him.

The 3d of James the first, cap. 4. (1605) entitled "An Act for the better discovery and repressing Popish recusants," enacts divers penalties on recusants.

15th Sect. Contains the oath of obedience, which is required by all persons. Power is given to magistrates to call upon persons to declare on oath, whether they are recusants or not; and to require every one to take the oath; and heavy penalties enacted against those who refuse.

Further provisions and penalties are enacted by the statute which immediately follows, viz. 3d James the first, cap. 5.

The 7th, James the first, cap. 6. (1609.) entitled, "An Act for administering the oath of allegiance and reformation of married women recusants."

2d Sect. Every person above eighteen years of age, to take the oath set forth in 3d of James the first, cap. 4, before the persons specified in the following sections:

26th Sect. Any person refusing to take the oath, when required, according to the form set forth in the act, to be committed to prison till the assizes, or quarter sessions, when the oath is to be again tendered publicly, and on refusal, they incur the penalty of a premunire, except married women, who are to be committed to prison till they take the oath.

(2 P)

in the spirit of a contest between two religious factions, but between two adverse nations*.

* The 1st of William and Mary, cap. 6. (1688) appoints the coronation oath; the form of which is as follows:—The Archbishop or Bishop shall say, "Will you solemnly promise and swear to govern the people of this kingdom of England, and the dominions thereto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same?" The King and Queen shall say, "I solemnly promise so to do." Q. "Will you to your power cause law and justice in mercy to be executed in all your judgments?" A. "I will." Q. "Will you to the utmost of your power maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by law? and will you preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them or any of them?" A. "All this I promise to do." Then the King and Queen shall say, "The things which I have here before promised, I will perform and keep. So help me God."

The 1st of William and Mary, cap. 8. (1688) entitled, "An Act for abrogating oaths of supremacy and allegiance, and appointing others."

3d Sect. The oaths to be taken in same manner as the former ones; and the following clauses enact penalties and disabilities in the same way as the former acts.

9th Sect. The oaths to be tendered at three different periods, and on the third refusal, the party to be deemed a Popish recusant convict; and to suffer all pains and penalties accordingly.

The 1st of William and Mary, cap. 9, immediately following, provides for removing Papists 10 miles from London, &c.

The 1st of William and Mary, cap. 15, entitled, "An Act for better securing the government, and disarming Papists, and reputed Papists."

No Papist or reputed Papist refusing to take the oaths, &c. to be allowed to keep arms; or to possess a horse above 5*l.* in value.

5th and 6th Sect. enacts penalty of fine and imprisonment on those who do not deliver up their arms within ten days after refusing to take the oaths; or shall

The revolution in the two countries operated in opposite ways; for, in England it was the struggle of the great body of the people for the establishment of their liberties, against the efforts of a small faction, who would have oppressed them; whilst in Ireland, it was the establishment of the power of a faction, at the sacrifice of the civil liberties and property of the far greater part of the people; and at the expence of the whole.

And here it may not be amiss to state, that it was a common saying with the non-jurors at that time, that the Pope was one of the innocent causes of the Revolution; for at the congress, in 1690, the English minister joined with the others in making a solemn declaration, in which they protested before God, that their intentions were never to make peace with Lewis the Fourteenth, until he had made reparation to the holy see, for whatever he had acted against it; and until he had annulled all his infamous proceedings against the holy father, Innocent the Twelfth.

hinder or disturb the persons who come to search for their arms.

1st of William and Mary, cap. 26. "Act to vest in the two Universities the presentations of benefices belonging to Papists."

1st of William and Mary (2d session) cap. 2. "Act declaring the rights and liberties of the subject, and settling the succession of the crown."

3d Sect, appoints the new oaths of allegiance and supremacy.

9th Sect. Papists are debarred the crown.

3d William and Mary, cap. 2. (1691). "Act for abrogating the oath of supremacy in Ireland; and appointing other oaths."

This extends the provisions of the several former acts, as to oaths, penalties, and disabilities, to Ireland, as well as England.

11th and 12th William the third, cap. 4. (1700) "Act for preventing the further growth, of Popery."

1st Sect. 100*l.* reward for apprehending and convicting any Popish bishop or priest, saying mass.

3d Sect. Inflicts perpetual imprisonment on the priest so convicted.

4th Sect. Papists not taking the oaths (30th Charles the second, cap. 2.) within six months after eighteen years of age, to be incapable of taking or inheriting lands.

5th Sect. Act not to extend to saying mass in a foreign minister's house, so as he be not a natural born subject.

When government subsisted, as it formerly did, in an estate of its own, with large personal property, and inconsiderable revenues drawn from the industry of the subject, then the offices which existed in such an establishment were fairly and justly at the disposal of the state. Of course no exclusive predilection could then be called a proscription; as it was justified by the salaries being paid out of the territorial revenues of the sovereign, and that almost the whole produce of a man's diligent and honest exertions, remained in his pocket, for the maintenance and support of his family. But times alter; and now that the whole establishment, by a variety of causes not necessary to be examined at present, is from private contribution, the relative position between the government and the subject also changes.

If a great portion of the labours of individuals goes to the commonwealth, and is again by the state refunded to its members through the medium of places and employments; in this revolving and renovating principle, from the private to the public, and from the public fund back again to the private purse, the families who contribute to the exigencies of government are indemnified, and a fair balance struck between them.

Should, therefore, a large body of the people, more numerous than many foreign independent nations, be excluded from the returning share of their labours, the withholding this circulation from them is oppressive in the extreme; and amounts in effect to nothing less than a triple or quadruple taxation, which cannot fail, unless compensated for in another way, such as by an exoneration from imposts, to be most keenly felt by them.

This I fear ministers will not be willing to admit, as I am perfectly satisfied that in spite of their religious scruples, provided the millions come into the treasury, they will not feel inclined to make any nice distinction, still less an objection, upon the score of their being the produce, either of an industrious Catholic, or an active Protestant.

In drawing a parallel betwixt the opinions professed in the reign of queen Elizabeth and the present times, a celebrated historian remarks, that the Commons made a sacrifice to the queen more difficult to obtain than that of any articles of faith; they voted a subsidy of four shillings in the pound on land; and two shil-

lings and eight-pence on moveables, together with two fifteenths.

Now, it appears, that upon the principles ministers are at present proceeding, they are equally disposed to put the good will of the people to the test on the latter point, whilst they seem fully determined to shut the door of toleration on the other.

However I may deplore the narrow policy of the country, which has so long forced Catholics who are anxious to distinguish themselves in a more eminent degree, and to gain a livelihood in more exalted situations than is allowed them in their native land, to seek a home abroad where a similarity of religion made their residence more acceptable to them—still this negative consolation was afforded them.

At present, indeed, the actual state of Europe, and the necessary changes which the revolution in France has produced, have deprived them even of this melancholy resource. For as loyal subjects, which I have always found Catholics to be, they must ever abhor serving a tyrant, and a people, whose sole object is the annihilation and ruin of their mother-country: besides, if any one should be inconsiderate enough to make the attempt, the laws, upon the discovery, would declare him treasonable.

Now to deprive a man of the power and liberty of acquiring a fortune or existence by honest means, is robbing him of the rights of nature, more valuable even than life itself; and, therefore, to him who suffers, whether it be by the hand of justice, or by the hand of oppression, it is equally the same, and neither gilds the pill, nor sweetens the bitterness of the draught.

Our constitution is not made for great, general, and proscriptive exclusions: sooner or later it will and must destroy them; or they will destroy the constitution.

Immodicis brevis est ætas, et rara senectus.

In the Magna Charta it is provided, that no man shall be disseized of his liberties and free customs, but by the judgment of his peers, or the law of the land; meaning clearly for some proved crime tried and adjudged.

Neither heaven nor man has granted a power to punish any one but malefactors, and no one is less open to such an accusation, than he who follows the dictates of

his conscience. To him it is the oracle of the Divinity; in abiding by its prescription he imagines to please his Creator; mistaken, perhaps he may be, but a mistake is not a crime.

The magistrate who punishes an honest peaceable man for following the religion of his education, and the dictates of his conscience; and the legislators who authorise him to do so, both forget themselves, and the rights of mankind.

We are men, and must live among men, and must make and claim merciful allowances for the errors of fallible and peccable beings, and for that renitency of our nature against coercion, which, if well disciplined, and well directed, is in fact the origin of all liberty.

Magna Charta regards the civil rights and liberties of the subject, as much a fundamental part of the constitution, as the establishment of the Church of England was thought; either in the act of king William or queen Anne.

It was not a fundamental part of the Act of Settlement, at the Revolution, that the state should be Protestant without any qualification.

In no other country in the world, is the religion so peculiarly defined as in this; for till within these few years, a signature of thirty-seven out of thirty-nine articles was absolutely necessary for the toleration of any other Protestant sect.

Now the power that could remove the tests from dissenting Protestants, was not authorised to exercise it more for the one sect than for the other; and, therefore, the Catholics ought to have been equally included in this relief; for the legislature did not, beyond a doubt, mean to guard the Church in one part only, and to leave her defenceless and exposed in every other.

There is no disability that affects any other class of dissenters which affects not equally the Roman Catholics, whilst there are several disabilities to which the latter are liable, but do not in any respect affect the former.

I should have gone into more particulars, my lords, had I not wished to confine myself most strictly to the question, in as far as it relates to the security of the state, and which, I think, I have pretty nearly explained; for as to the other parts of the Oath of Allegiance, the family of the Stuarts being extinct, renders it in fact a dead letter of the law.

Unwilling as I am to oppress any indi-

vidual, and still less to stir up the ashes of an illustrious and unfortunate family, which is now no more; this reflection, however, presses itself so forcibly upon my mind, that I cannot refrain expressing it:—

That the Catholics did every thing for the Stuarts upon the principles of hereditary and indefeasible right; and that they did nothing for the Catholics except oppressing them, and more particularly the Irish of that persuasion.

In the reigns of both the Charles', the Roman Catholics of England are allowed to have been loyal, and sometimes suffered for their loyalty; yet it was in the latter of these reigns, without any insurrection or plot on the side of the Catholics, that new laws were passed against them, and the Test and Corporation Acts made a test of their fidelity.* This persecution was

* By the 3d Charles 1, c. 2, entitled "An Act to restrain the passing or sending any to be possibly bred beyond the seas." Whoever goes himself, or sends another beyond the seas, to be trained up in Popery, shall be disabled from suing, &c. shall lose all his goods, and forfeit all his lands, &c. for life.

By the 25th Charles 2, c. 2, (1672) entitled "An Act to prevent danger which may arise from Popish recusants."

All persons, as well peers as commoners, who have any office, civil or military, or receive pay, salary, or wages, under any grant or patent from the king—or shall have command, or place of trust, from or under the king, or by his authority, or authority derived from him, within the realm—or shall be in the household—or shall be in the service or employ of his majesty, or his royal highness the duke of York, and residing in London, or within thirty miles distance, shall appear within a certain time in the court of Chancery, or King's-bench, and there take the several oaths of supremacy and allegiance; or the oaths may be taken at the quarter sessions; and the respective officers aforesaid shall, within a certain time, take the sacrament according to the forms of the Established Church.

Sect. 2d. Provides for taking these oaths, and receiving the sacrament, by persons who may thenceforth be appointed to any office, &c.

Sect. 4th. All persons refusing or neglecting to take the oaths, and receiving the sacrament, rendered and declared incapable of holding any office.

systematically carried on from the reign of king James down to that of queen Anne included.

Sect. 5th. Any person continuing to hold and execute his office, after neglect or refusal to take the oaths and the sacrament, is rendered incapable of suing in courts of law or equity, of being a guardian to a child, executor or administrator of any person, or taking any legacy or deed of gift; and shall forfeit 500*l*.

Sect. 8. If any person not bred up from infancy by his parents in the Popish religion, and professes himself a Popish recusant, shall educate his child in the Popish religion, he shall, upon conviction, be thenceforth disabled from bearing any office of trust or profit, in church or state, until he shall be reconciled to the Church of England, shall take the oaths aforesaid, and receive the sacrament.

Sect. 9. Provides that persons taking the oaths shall, at the same time, sign a declaration that they do not believe the doctrine of transubstantiation.

"I, A.B. do declare that I do believe there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine, at or after the consecration thereof by any person whatsoever." But there is this proviso—"that neither this act, nor any thing therein contained, shall extend, be judged or interpreted, any ways to hurt or prejudice the peerage of any peer of this realm, or to take away any right, power, privilege, or profit, which any person (being a peer of this realm) hath or ought to enjoy by reason of his peerage, either in time of parliament or otherwise; or to take away creation-money or bills of impost; nor to take away, or make void, any pension or salary, granted by his majesty to any person for valuable and sufficient consideration for life, lives or years, other than such as relate to any office or to any place of trust under his majesty, and other than pensions of bounty or voluntary pensions; nor to take away, or make void, any estate of inheritance, granted by his Majesty, or any of his predecessors, to any person or persons, of or in any lands, rents, tithes and hereditaments, not being offices; nor to take away, or make void, any pension or salary already granted by his majesty to any person who was instrumental in the happy preservation of his sacred majesty, after the battle of Worcester in the year 1651, until his Majesty's arrival

Therefore all attachment must have ceased; besides, the sovereign who in the hour of danger deserts his throne through

beyond the seas; nor to take away, or make void, the grant of any office or offices of inheritance, or any fee, salary, or reward, for executing such office or offices, or thereto any way belonging, granted by his majesty, or any his predecessors, to, or enjoyed, or which shall hereafter be enjoyed by any person or persons who shall refuse or neglect to take the said oaths, or either of them, or to receive the sacrament, or to subscribe the declaration mentioned in this act, in manner therein expressed: nevertheless so as such person or persons, having or enjoying any such office or offices of inheritance, do, and shall substitute and appoint his or their sufficient deputy or deputies (which such officer or officers, respectively, are hereby empowered from time to time to make or change, any former law or usage to the contrary notwithstanding) to exercise the said office or offices, until such time as the person or persons, having such office or offices, shall voluntarily, in the court of Chancery, before the lord chancellor or lord keeper for the time being, or in the court of King's bench, take the said oaths, and receive the sacrament, and subscribe the said declaration, from time to time, as they shall happen to be so appointed, in manner as by this act such officers, whose deputies they be, are appointed to do; and so as such deputies be, from time to time, approved of by the king's majesty under the privy signet: but that all and every the peers of this realm shall have, hold, and enjoy what is provided for as aforesaid; and all and every other person or persons before mentioned, denoted, or intended within this proviso, shall have, hold, and enjoy, what is provided for as aforesaid, notwithstanding any incapacity or disability mentioned in this act."

30th Charles the second, cap. 2, entitled, "An Act for more effectually preserving the king's person and government, by disabling Papists from sitting in either House of Parliament."

Sect. 1 and 2, provide no peer or commoner shall sit in parliament, or vote therein, until he has taken the oaths of allegiance and supremacy, in manner pointed out by the act, and subscribed a declaration.

3d Sect. Contains the declaration prescribed for this purpose.

fear, and flies for safety to a foreign country, leaving his subjects to shift for themselves, thus depriving them of their head when he is most wanted, virtually abdicates the crown, dissolves all ties of allegiance, and consequently sanctions any act they may adopt for making a new election, by breaking his faith and forfeiting their confidence.

It is a maxim of prudence, if not of

"I, A. B. do solemnly and sincerely, in the presence of God, profess, testify, and declare, that in the sacrament of the Lord's Supper, there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever; and that the invocation or adoration of the Virgin Mary, or any other saint, and the sacrifice of the mass, as they are now used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, and in the presence of God, profess, testify, and declare, that I do make this declaration and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose, by the Pope or any other authority, or person whatsoever, or without any hope of any such dispensation, from any person or authority whatsoever, or without thinking that I am or can be acquitted before God or man, or absolved of this declaration or any part thereof, although the Pope or any other person or persons, or power whatsoever, should dispense with or annul the same, or declare that it was null or void from the beginning."

5th Sect. No peer or member of parliament, who has not taken the oaths, and subscribed the declaration, and no Popish recusant shall come into the royal presence.

6th Sect. Persons offending, to be considered Popish recusants convict, and subjected to the penalties and disabilities attending the same.

7th Sect. Either House of Parliament may cause any of their members to make the preceding subscription and declaration on oath.

10th Sect. Contains a provision, allowing the queen to retain eighteen Popish servants.

law, that no man should direct, what he has neither the power, capability, or inclination, to defend or protect. Where no reasonable obstacle exists; that is to say, where no encroachment can be feared, as we have always the means of creating preventative laws, to secure the bulwark of our own Church, upon which point I am most strenuous, and with which qualifications I wish clearly to be understood as giving my assent, I cannot see any danger as liable to ensue in acceding to the prayer contained in the Petition; especially when the greatest part of the tenets, and most of the ceremonies of both Churches, are so nearly allied, as to be considered by other Protestant sects as sisters of the same family; and ought, therefore, to be in constant harmony with each other.

It is impossible for the legislators, who devise laws, to read in the minds of other men the doubts which may arise concerning the force and sense of some expressions. Hence new acts are constantly made, amending and explaining former ones.

Though we have not the same number of sacraments, yet, except one, we observe the forms of all the others; and although auricular confession is not enjoined, it is strongly recommended.

And even in our service of the visitation of the sick, the complete absolution of the Catholic priests, copied word for word from their ritual, is to be found.—This same remark holds equally good with the greatest part of our liturgy.*

* The Visitation of the Sick.

Then shall the minister examine whether he repent him truly of his sins, and be in charity with all the world; exhorting him to forgive from the bottom of his heart all persons that have offended him, and if he hath offended any other, to ask them forgiveness; and where he hath done injury or wrong to any man, that he make amends to the uttermost of his power.

Here shall the sick person be moved to make a special confession of his sins, if he feel his conscience troubled with any weighty matter. After which confession the priest shall absolve him (if he humbly and heartily desire it) after this sort.

Our Lord Jesus Christ, who hath left power to his Church to absolve all sinners who truly repent, and believe in him; of his great mercy forgive thee thine offences;

Their canon law is still, in a great measure, the rule of our judications; we have our spiritual consistorial courts, decrees, and ceremonies from them.

We have our subordinate church governments; our primates, prelates, archbishops and bishops, deans, prebendaries, canons, and other dignities; provinces, dioceses, parishes; cathedrals and common churches; benefices, tithes, perquisites, Easter-dues, and free-will offerings.

I am certainly not one of those, who can admit that discordance of religion is enough to render men unfit to act together in public stations.

The legislators had better direct their tests against the political principles which they wish to exclude, than to encounter them through the medium of religious tenets.

Montesquieu says, penal laws ought to be avoided in respect to religion; they imprint fear, it is true; but as religion has also penal laws which inspire fear, the one is effaced by the other; and between these two different kinds of fear, the mind becomes hardened.

Political disabilities, founded on a difference of opinion in matters of religious belief, are ready instruments in the hands of the factious and disaffected; and such invidious and unjust distinctions must ever, more or less, keep up animosities destructive of social happiness and social peace; it is, therefore, just, expedient, and necessary, to remove them.

Every day confirms this statement; and shews as well the impolicy, as the inconsistency of our system. Did we not send

and by his authority committed to me, I absolve thee from all thy sins, in the name of the Father, and of the Son, and of the Holy Ghost. Amen.

The Absolution of the Roman Catholic Priest is as follows:

"Misericordiam tui omnipotens Deus et dimissis peccatis tuis perducatur te ad vitam æternam. Amen."

"Indulgentiam, absolutionem, et remissionem peccatorum tuorum tribuat tibi omnipotens, et misericors Dominus. Amen."

"Dominus Noster Jesus Christus te absolvat; ego auctoritate ipsius te absolvo ab omni vinculo excommunicationis (suspensionis) et interdicti, in quantum possum, et tu indiges. Deinde ego te absolvo a peccatis tuis, in nomine Patris + et Filii, et Spiritus Sancti. Amen."

our troops to prop up in Italy what we constantly wish to extirpate, oppress, and coerce here? Did we not succour the Pope with our fleet and armies? Do we not act with, and assist the Portuguese and Spanish Catholics, endeavouring to protect them against the grasping ambition of France, which has aspired to monopolize all other powers in the world; or, at least, to make them subservient to her own political views? What are we fighting for? The maintenance and defence of Catholic religion and property all over Europe. Why then, my lords, at the very moment we are making these protestations and exertions, in the same breath our acts at home belie the sincerity of them.

My lords, I may be warm on the subject, but I am pleading the cause of some millions of people, who are deprived of many rights of citizens, and of course the greatest part of their interests in the constitution, to which they were born; which is certainly not conformable to the declared principles of the Revolution.

I have heard it stated by some that this was not the moment for granting what they ask; my answer to those persons is, that without limitations, which can only be taken into consideration when we go into a committee—certainly not. But if it be either a matter of prudence or right, the sooner this act of justice or grace is done the better.

Others object that the moment is not favourable, on account of the turbulence and disaffection of many; to them it may be remarked,—that a man may possibly be mutinous and seditious without any grievance; but no one will seriously assert, that when people are of a turbulent spirit, the best way to keep them in order is to furnish them with real cause of complaint.

The Catholics being by far the most numerous body of men in Ireland, the offences against the laws must be most frequently found amongst them; but the punishment for such offences cannot warrant any inference against that description of religion, or its influence upon politics. It is the crime, not the religion, of the criminal, which disturbs the peace of the state, and is punishable by law.

My lords, I fear I have trespassed much upon your indulgence; but I could not resist stating my opinions, which are the result of long reflection, and the warm interest I must constantly feel for every class of my fellow-subjects, and for none more particularly than for a respectable

and numerous body of men, whom, wherever I have met them, I have constantly found warmly and truly attached to their sovereign and country, in spite of their disabilities; and no one can deny that civil incapacity is accompanied with disgrace during life; without even posthumous renown.

Whenever I knew of an English, Scotch, or Irish seminary, existing on any part of the continent I happened to pass through, I made it a point constantly to visit them; when the most unfeigned marks of devotion and attachment to my family, and to their countrymen, were, at all times, most unequivocally evinced. In many I have observed, and particularly at Rome, the pictures of their Majesties exhibited in their public halls, as an incontrovertible testimony of their loyalty and allegiance. These sentiments are the consequence of diligent, constant, and serious enquiry, and have been greatly influenced by deep and religious meditation.

Since the last time I ventured to intrude myself upon the attention of this House, domestic calamities and serious indisposition have almost constantly visited me; it is in such moments as those, my lords, when it appeared a few instants would separate me for ever from this mortal life, and the hopes of a better consoled me in the hour of anguish and sorrow, that all prejudices cease, and that man views human events, unbiassed by prepossession, in their true light, inspired with Christian charity, and calmed by a confident resignation on the mercy of the Omnipotent: at these times, when one may be almost said to stand face to face with one's Creator, I have frequently asked myself, what preference I could urge in my favour, to my Redeemer, over my fellow-creatures, in whose sight all well-intentioned and well-inclined men have an equal claim to his mercy? The answer of my conscience always was: Follow the directions of your Divine Master; love one another, and do not unto others what you would not have them do unto you: and upon this doctrine I am acting.

The present life cannot be the boundary of our destination; it is but the first stage, the infancy of our existence; it is a minority, during which we are to prepare for more noble occupations; and the more faithfully we discharge our duties here below, the more exalted will be the degree of protection and felicity we may hope to attain hereafter.

How should I feel if I were excluded

from these civil rights, which are denied my fellow creatures?

This is a question that in my opinion can be answered but in one way; especially convinced as I am that civil immunities, guarded by mild and secure boundaries, cannot endanger either church or state.

Lost, indeed, must that Church be, whose only existence could depend upon depriving any body of men, from a faithful and firm adherence to their own conscientious and religious opinions; of their liberties and free customs, and reduce them to a state of civil servitude.

Should the safety of the Church be utterly inconsistent with all the civil rights of the far larger part of the inhabitants of a country, that Church would be, not only in the most deplorable state, but likewise in the most imminent danger.

Such are not, however, my fears, I confess; and I trust that the time is not far distant, when the good sense and moderation of all parties will mutually yield; then, all exclusive systems will be blotted out from our civil code; and the union of the two countries will not be found merely to exist in an act of parliament, but to dwell in the hearts of every Englishman and Irishman, under whatever civil or religious denomination it may be at present.

Much, certainly, depend upon the Irish themselves. It is the duty of their enlightened nobility and gentry, to impress on the minds of the rest of their brethren, that it is by their own moderation and obedience, even for a time under their present difficulties and inconveniences; that they will acquire additional claims to the confidence of the legislature I will not say, as that they have sufficiently merited; but to their further kindness and consideration.* The clergy should, after the de-

* Sir John Davis, the Attorney General of James the First, speaking of the Irish says: "The Irish are more fearful to offend the law than the English, or any nation whatsoever; in the condition of subjects they will gladly continue without desertion, or adhering to any other lord or king as long as they may be protected and justly governed, without oppression on the one side, or impunity on the other, for there is no nation of people under the sun, that doth love equal and indifferent justice better than the Irish, or will be better satisfied with the execution thereof, although it be against themselves, so as they may have the protection and benefit of the law, when upon just cause they do deserve it."

clarations which they have published and circulated, instruct and encourage their flocks in the duties of Christian submission, for which they have an additional stimulus from motives of personal pride; for as far back as the year 1414, their hierarchy was considered one of the first and most independent.

At the council of Constance, the British ambassadors owed their rank and precedence to the king of England, only as king of Ireland; which was considered as one of the four empires in Europe, that had not been conquered.

Those mentioned were the Roman—the Constantinopolitan—the Irish—and the Spanish.* As long as they proceed consti-

* The ambassadors of England owed their rank and precedence in the Council of Constance (1414, Henry the Fifth) to the title which the Popes conferred on their sovereigns as lords of Ireland, they would not be allowed to take place or rank as ambassadors of a nation, the advocates of France insisting, that as being conquered by the Romans, again subdued by the Saxons, who were tributaries of the German empire, and never governed by native sovereigns, they should take place as a branch of the empire only; not as a free nation: for they added, it is evident from Albertus Magnus, and Bartholomew Glanville, that the world is divided into three parts, Europe, Asia, and Africa, (for America was not then discovered) Europe was divided into four parts, the Roman, the Constantinopolitan, the Irish, and the Spanish. But the English advocates admitting the force of these allegations, claimed their precedence from Henry's being monarch of Ireland only, and it was accordingly granted."

"At a very early period Christianity made a rapid progress in Ireland; and on the arrival of Magonius, or (as he is generally called) Patrick, he found an hierarchy, which for a time seemed very unwilling to acknowledge his superiority. By Asiatic or African missionaries, or through them by Spanish ones, were the Irish, probably first instructed in Christianity, because their connections by trade were greater with these than the Romans; and because they rigidly adhered to their customs, as to the tonsure, and the time of celebrating of Easter. It is at least evident, that in these customs they differed from Rome, and that for more than two centuries after the death of St. Patrick;

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tutionally, and lay their representations respectfully before their sovereign and parliament, I shall feel myself bound

though in matters of doctrine and faith, both were in the most perfect unison. Add to this, the Irish Church preserved privileges and immunities peculiar to itself: Archbishops and bishops were appointed without consulting Rome; bishops were multiplied at the wills of the metropolitans; they consecrated bishops for foreign missions, and these missionaries, in many instances of discipline, opposed the mandates of Rome; as Columba in Scotland; Finian and Colman in England, Columbanus in France, St. Gall in Germany, &c.

"For more than five centuries after the death of St. Patrick, scarcely any vestiges of a correspondence between Rome and Ireland can be traced; and in this interval, in many instances, Rome looked upon several of the Irish missionaries with a jealous eye. Though these great immunities of the Irish Church were of the utmost importance to the cause of Christianity, and contributed to spread its doctrines in a most rapid manner, particularly in North Britain, amongst the British Saxons, the Gauls, and the Germans; yet in the 11th century, when paganism was totally abolished, these powers seemed too great, and to endanger the peace of the Church. The Irish themselves were highly sensible of this, and councils and synods were held from time to time, in order to bring the Church of Ireland to the same subordination to Rome as those of every other part of Europe. In the beginning of the 12th century, the Irish archbishops made a surrender of their exclusive privileges to Rome, and measures were taken to prevail on princes and nobility to give up their right and nomination to archbishoprics and bishoprics."—See O'Halloran's History of Ireland.

"At a very early period was Christianity preached in Ireland. The constant enmity between this country and ancient Rome prevented any friendly intercourse. Doctrine came not immediately from thence to Ireland; but from the churches of Asia. The venerable Bede tells, that in defence of the Irish time of celebrating the feast of Easter, in opposition to that of Rome, Colman, the Irish bishop of Lindisfarn, amongst other reasons declared, that he had received it from his forefathers, who had sent him to Northumberland as their bishop; and that it was the same

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steadily to support them ; but from the hour I perceive another system to be adopted, as a friend of order and a faithful subject, I shall then reluctantly withdraw myself from a cause in which I can-

custom, which John, Christ's especially beloved disciple, with all the Churches under him, observed.

" Afterwards (in the 4th and 5th centuries) amongst the other causes of St. Patrick's great influence over the Irish people, one was, his attention to avoid whatever could alarm the national pride, or alter the established police of the country. As to the first, we find no hint at a foreign supremacy, during the whole of his mission ; nor any dispute whatever about the tonsure, and time of celebrating the feast of Easter ; though it is most certain that before, during, and for two centuries after his death, the Irish Church adhered most strictly to the Asiatic Churches in these modes of discipline.

" From the remarkable attachment of the Irish to this custom we have still stronger proofs of the uncommon wisdom of Patrick. He probably endeavoured to reconcile the Irish clergy to the practice of the universal Church, and very likely laboured also to make them acknowledge the supremacy of Rome, after his establishment of Christianity here. He laid before the consistory the dangers that he apprehended from insisting on these heads, and we must conclude, had the Pope's approbation of his conduct ; since we see that upon his return, the Pope presented him with a pallium, and that he observed the same prudent silence on these matters as he did before.

" We have seen, in the 3d and 4th centuries, no differences whatever between the Church of Rome and the Asiatic Churches, save about discipline, and this was confined to the tonsure, and the celebration of Easter. The Irish, from political interest, and their dread of a foreign yoke, were the eternal and avowed enemies of Rome. Their hatred was as conspicuous in the days of Christianity, as in the days of Paganism ; and it will not be now controverted, that they owed not the seeds of Christianity to Roman missionaries ; yet, and indeed it is wonderful to be told, we plainly see that in the 5th century, in articles of faith, the Churches of Rome and Ireland were in perfect unison, though it was the first time they met ! We see the same miraculous conformity in the

not conceal my heart most deeply interested, from motives of the general welfare and good of the country.

Let the Roman Catholic laity and priesthood warn their fellow subjects that if

beginning, and beyond the middle, of the 7th century ; when for the second time they met, and not in a friendly manner. The question about Easter was agitated at this time, both in England and France, with great warmth. The Irish are charged with perverseness and wilful obstinacy, in this matter of discipline ; but not the least hint at holding heterodox opinions, either themselves or their ancestors.

" For a long time after the Irish Church had submitted to the supremacy of Rome, the Popes, though they got the power of approving of future Irish bishops, had not yet that of nominating them."—See O'Halloran's History.

" Although this nation kept up a correspondence with Rome, by whose missionaries it was converted, yet our episcopal clergy never applied to that see for bulls of ratification, provisions, or exemptions. The whole ecclesiastical jurisdiction resided in the see of Armacha, and there Rome generally left it, as it was originally granted to St. Patrick. In process of time, however, the remote situation of this country, and the intervening distractions of Europe, cut off all communication between the two Churches. After a long interval of 150 years, it was again opened. A schism ensued. It was found that the Scots (Irish) either failed in the due time of keeping Easter, or knew nothing of the synodal decrees of Rome, in the observation of the paschal festival."—Vide O'Conner's Dissertations on the History of Ireland.

" It must be allowed that St. Patrick, who succeeded Palladius, was the person that had the good fortune to convert the body of that nation (Ireland) to Christianity ; but he was so far from bringing them to Popery, that they owned no jurisdiction the Pope had over them, but differed from the usage at Rome, both in tonsure and in celebrating the feast of Easter ; and were therefore counted schismatics by the Romanists ; ' and although at this day, ' their religion,' as my lord of Orrery words it, ' is something that pins them ' upon the Pope's sleeve ; yet in the beginning it was not so ; but their religion ' was pure and orthodox.' "—See Cox's History of Ireland—Introduction.

they, unfortunately, should get irritable, and endeavour to separate from us, they would be working their own downfall, as well as the ruin of their sister-kingdom; and that if, in the midst of such a confusion, a foreign enemy were to invade them, their cause would be weakened, and their total destruction follow; as relief would not be the object of the foe, but the possession of all their property, whether Catholic or Protestant.

God forbid that such a calamity should visit us! But at the same time that I give this caution to my Catholic, let me equally impress upon my Protestant friends, that our cause would more firmly succeed by promoting the happiness of the people,—by preaching and practising love and union; than in widening the breach, and encreasing a division by persecution; which is a principle of injustice, and not a mistaken conscience, begetting fanaticism, and propagating, instead of suppressing, opinions of discordance.*

* Ganganelli's Thoughts on Toleration. Lett. 5. 4.

"The great misfortune in this case is that some people confound religion with her ministers, and make her responsible for their faults. It never was religion, but false zeal pretending to imitate her, that seized fire and sword to compel heretics to abjure their errors, and Jews to become Christians. There were formerly in the bosom of the Church false zealots, who contended for things not interesting to the faith, of whom ecclesiastical history furnishes many examples, sufficient to make us tremble. For what is more dreadful than to see good men fall victims to a zeal, displeasing in the sight of God, and condemned by the Church, as equally hateful to religion and the rights of society. The practice of Jesus Christ, who, during his residence on earth, bore patiently with the Sadducees and Samaritans, the infidels and schismatics of those times, obliges us to support our brethren of whatever communion they be, to live peaceably with them, and not to torment them on account of any system of belief they have adopted. If we forcibly enlist men into the Church, we shall only make them prevaricators and hypocrites. The power of the Church is purely spiritual; and this is so true, that the first Christians suffered themselves to be butchered, rather than rebel against the edicts of the heathen emperors; and our blessed Redeemer himself,

If we are united among ourselves, by the consciousness that we have all equal rights in the constitution, we need dread neither foreign nor domestic foe; and the interest every man will then take in the welfare of the empire, must give an additional stimulus to his industry and to his exertions. These are my sentiments.

I have, for particular reasons, studiously avoided touching upon the Coronation Oath, not from want of having formed my opinion upon that subject; but from motives of personal respect and delicacy.

But one remark I cannot refrain from making; and if I am out of order, I beg the learned lord to signify it to me, when I shall instantly desist.

Much has been said relative to the repugnance shown to the measure in a certain quarter. Should this repugnance have proceeded from considerations of religious and prudential motives warring together, may not the indisposition which most deeply affects us all, and none more particularly than myself, have been occasioned by them? By removing these obstacles, might we not pave the way and open a gleam for a perfect recovery?

This is a mystery which can only be known by the Great Disposer of all human events, who alone has a right and a power to take away that life which he has given us; and therefore to his will we must patiently submit, but with pious resignation hope for the best. I could not, however, have brought my mind to have concluded, without mentioning this consideration.

And now, having fulfilled conscientiously my duty towards my country, I shall in my turn listen to the further discussion of this important question, with the same patience and attention with which

when he prayed for his executioners, taught us how his cause is to be avenged. Had the ministers of the Gospel been always careful to follow that divine model, the enemies of Christianity had not been able to bring against it the unjust reproach of being a persecutor. The Church always disavowed those impetuous men, who, stirred up by indiscreet zeal, treat those who go astray with asperity: and its most holy bishops, in all times, solicited the pardon of apostates, desiring only their conversion. Men therefore ought not to impute to the Church those excesses of which history has preserved the memory, and which are repugnant to the maxims of the Gospel."

your lordships have favoured me ; and for which I return you my thanks.

Lord Redesdale.—In the view which the noble mover has taken on this subject, and that entertained by myself, the principal difference is, that while the noble earl thinks that every restraint should be removed which affects the Roman Catholics, I, on the contrary, am of opinion that those restraints and securities formed by the law should remain in force ; nor am I disposed to regret the result of experience on the benefit derived from them. The great objection, which is the foundation of every other, to the measure of Catholic Emancipation, is the usurpation of temporal power by spiritual persons. It is this which first shook the foundation of Popish supremacy, and finally led to the Reformation, aided by co-operating causes. It is this subordination of civil to spiritual power, which I must always consider as the great and fundamental objection, considered with relation to the question. It is to be considered, that the Protestant religion is the establishment of the country, and that this should be supported and maintained, for the peace and quiet of the whole community. I can assure the noble earl, that I am not actuated by any species of that enmity to which he has alluded, or by any dislike to the Roman Catholics, as such, or bigoted attachment to the Protestants. I only consider the safety of the constitution of the country, of which the Protestant Church forms a part. When it was the policy of James 2, to favour the ascendancy of the Roman Catholic Church, he wished to give to persons professing that religion places of trust under the crown. For what purpose, but to destroy the superiority of the Protestants ? Had Roman Catholics been placed in such situations, would it not have been a breach of those laws which were deemed essential to the security of the Protestant establishment ? Then, until I am assured that securities equally firm are provided, I can never accede to a total removal of the disqualifications of which the Roman Catholics complain. After the abdication of king James, the Prince of Orange was called to the throne of these realms by the Convention Act ; and the Declaration of Rights enumerates a variety of acts, contrary to the laws of the realm, for a sovereign to perform. After the accession of king William and queen Mary, this Declaration of Rights was converted into a statute. This act I will

quote, to shew that it was held to be inconsistent with the safety of the kingdom, that the sovereign of those realms should profess the Roman Catholic religion, or marry a Roman Catholic, and that by so doing, he would be excluded from the crown.—(Here the noble lord read different extracts from the Bill of Rights.)—The exclusion of the Catholics from political power was acknowledged by James the 2d himself afterwards, with an express concession, that no Catholic should sit in the Commons House of Parliament, and the succession was at that time provided for in the Protestant line, excluding all branches which were not Protestants. It seems, however, that all those precautions and restrictions, which your ancestors deemed wise and just, are now to be considered as unjust. Your lordships all know, that an oath was taken by the King at his coronation, binding him to maintain the Protestant succession ; and that oath was imposed on the sovereign, to prevent him from committing any act which might endanger the constitution.—(Here the noble and learned lord read several passages of the Coronation Oath.)—All these precautions would be unnecessary, unless they were intended to impose on the conscience of the sovereign an obligation not to consent to any act which he might deem injurious to the security of the constitution, or the interests of the state. The question then is simply this, whether the proposed act is likely to be injurious or not ? And when I find that the guards which are now in existence to protect the constitution have been found sufficient for the purpose during so long a period, I shall not be induced to depart from their security by any speculative notions or opinions. It is impossible to divest a religious sect of the character of a political party ; in this view, not only the Catholics, but those of the established religion, and the Scots, which dissented from it, are to be considered as political parties. The question then is, whether these political parties, distinct from the establishment, are to be admitted into a share of political power, with safety to the state. In an absolute government, the prince, having the complete controul over all the parties in the state, might admit any set of men into power, and he could as easily exclude them, if he saw any occasion for doing so ; but in a government like this, such a mode of conduct is absolutely impossible. If the Catholics were admitted to all the places of trust and power under the crown,

the consequences would be the ascendancy of a hostile political party; for it was impossible to be a true Roman Catholic without a hostile feeling towards Protestants. Men will be men—the desire of obtaining authority, power, and emolument will naturally influence them; and, besides this, there is another influence likely to operate as strongly, namely, the belief that the Catholic Church is the only true one.—That this unfortunate persuasion existed there was the highest authority to prove; men of the first intellectual powers, Mr. Locke, and others, had admitted that the Catholics denied salvation to any persons out of the pale of their Church. The page of history shewed the unfortunate conflicts which had existed in Ireland upon the subject of religion, and there had also been struggles in this country, which had produced much bloodshed. In early life, I had conceived that some concession might be safely granted to the Catholics, and their lordships would do me the justice to say, that I have gone the length which I thought consistent with the safety of the state; but further than that, my mind is not satisfied by any thing I have heard upon the subject, that it is right to proceed. I have heard it urged, that we support the cause of Roman Catholics in Spain and Portugal; but I cannot see any force in that argument, for I have no objection to the Roman Catholic religion being exercised, if it did not tend to disturb the established order of things in this country. The existence of that religion is no injury, provided it does not interfere with the government and the constitution; and therefore there exists no reason against the alliance of this country with Spain and Portugal. Besides, the tone of the Catholics now was very different from what it had been at the commencement of the concessions to them, which were received in the spirit of amity and good-will; but the moment they gained a standing-place, they assumed the language of menace and intimidation.

The noble and learned lord then adverted to the publications which were circulated by the Catholics, which he maintained to be full of falsehoods and misrepresentations, and he censured the disposition manifested to rake up those half-buried writings which had formerly tended to inflame the passions of the people. Among others, he alluded to a work entitled “Ward’s Errata of the Protestant Bible,” a work particularly suited to that purpose. You are told that the way to

prevent the separation of the two kingdoms (so much to be dreaded) is to grant the boon demanded by the Catholics; but could that prevent it? Is it by increasing the political power of a body who have shewn themselves disposed to agitate the country? Would they by increasing the means, diminish the disposition? On the contrary, I think they would greatly increase it; and that a concession on that ground would be as unwise in the consequences which were likely to ensue from it, as the conduct of the Saxons was in buying off the Danes as often as they invaded their territories. It has been suggested by the royal duke (Sussex) that as every guard and security are provided, it is therefore proper to go into a committee. But there is no ground for supposing this, for nothing less than unconditional concession would satisfy the Catholics, and this they have declared on various occasions in the most positive terms. It is not a little singular that those who would not make the slightest concession on their part, desire to be put in possession of situations which would give them the patronage of the Protestant Church. They desire to be raised to places of trust under the crown, and yet will not grant the crown the most contracted negative. Do they not condemn themselves by refusing to concede the Veto? Do they not declare by the refusal that they would not place the highest dignitaries of the Church from under a foreign controul hostile to this country? And do they, notwithstanding, demand an admission to power which would give them a controul over the Protestant Church? I maintain that it would answer no good purpose to go into a committee; for, if the object of such a measure is to conciliate the Catholics, it would not be effected by any thing short of entire and absolute concession, and for the truth of this assertion, I need only refer your lordships to the Resolutions passed at Galway, at a meeting where lord French presided.—(Here the noble lord read over some of the Resolutions, which pledged the Catholics not to vote for any candidate who would not support the entire concession of the Catholic Claims, &c.) For what purpose, then, would their lordships go into a committee? What have you to consider there? What to debate upon? The simple and naked question is, whether you are prepared to give all they ask, for less than all would not satisfy them? If this were done, I could not but see great insecurity in it;

for if there exists a religious sect bound by implicit obedience to their priests, that obedience did not leave them free agents. How is it possible that a set of persons holding together in such a manner, and possessed of the power they aspire to, should not greatly influence the government of the country? Was it likely that the Roman Catholic clergy would be satisfied without their share of the emoluments of the Church; and, if so, would not the establishment follow? If then, you are prepared to vote for the motion, you must be prepared to abandon that establishment—(Hear, from the ministerial side.)—Nay, you would be bound to do so. In the year 1793, the late lord Clare prophetically said, that if the legislature yielded one point, they should go on step by step, until they conceded the whole; for that nothing short of that would satisfy the Roman Catholics. For these reasons, and under the impression that entire concession was dangerous to the establishment, he felt it his duty to resist the motion.

[When lord Redesdale sat down, the marquis Wellesley and the earl of Selkirk rising at the same moment, some confusion ensued as to the right of precedence; when, after some observations from the earl of Lauderdale, the Lord Chancellor, and the duke of Norfolk; the point was decided by the Lord Chancellor declaring, "upon his honour," that the earl of Selkirk first caught the eye.]

The Earl of *Selkirk*.—My lords, I feel extreme regret in for a moment retarding the speech of the noble marquis; but I was anxious to declare, as briefly as possible, the grounds on which I shall give my vote this night. And, first of all, I must object to the doctrine just laid down by the noble and learned lord who has preceded me, that if you make the proposed concessions to the Roman Catholics, you will, as a necessary consequence, surrender to them all the power of the state. But, my lords, for the test of this doctrine, I refer you to the case of the Scotch Dissenters, and I ask you, has any such consequences followed from the arrangements in their favour, and even the establishment of their religion, as the national Church of their country? The noble and learned lord has said, that every religious sect is a political party, and that will always continue to act together for their own particular interest: this, I admit, will be the case, so long as by any peculiar ex-

clusions attaching on that sect, they are debarred from enjoying the benefits of the constitution, because, such exclusion interests them in a separate interest, and forms a common bond of union for their mutual support. But, I ask, is the Church of Scotland, now that is delivered from such exclusions, a political party, with interests or feelings hostile to the state? Now, if the Roman Catholics were admitted, as I sincerely think they ought to be, to an equal participation in the benefits of the constitution, what inducement can they have to form separate or distinct interests from the rest of their fellow-subjects? Depend on it, if you place them on the same footing with the rest of their fellow-subjects, you will hear no more of them as a separate body, with different feelings or interests.—But to suppose, as a necessary consequence, if the proposed concessions to the Catholic laity, that the ecclesiastical establishment of the country would pass into the hands of the Catholic priesthood, is a sort of paradox which I know not how any rational man can entertain for a moment.

Is it a probable supposition, that when the Catholic laity have placed before them and within their reach, personal objects of interest and ambition, that they will risk the sacrifice of those objects merely for the aggrandizement of their priests? Do away those restrictions which at present unite the clergy and laity in common cause, and you destroy the bond of union from which you affect to apprehend so much danger; for it would be opposite to any thing known in the history of the nation, to suppose that the laity would sacrifice advantages once obtained, and which they so highly estimate, merely for the aggrandizement of their clergy. The noble and learned lords apprehend that, if these concessions were granted, it would place a Catholic party in parliament, who would not fail to excite all their influence in hostility to the Protestant establishment. But, my lords, let us suppose that all the hundred members returned to parliament for Ireland, were exclusively Catholic, how would their weight counteract the five hundred and fifty Protestant members for England, upon any question important to the general interests of the latter? Can any thing, then, be more absurd than to apprehend that any practical injury to the Protestant establishment could arise on that ground.

On these grounds, my lords, I think

the civil disabilities of the Catholics ought to be repealed,—at the same time that I am far from entertaining the same sanguine expectations with the noble earl who brought forward the motion, that the effects he predicted would immediately follow. The noble earl says, you would immediately attach to the state the decided support of four millions of your Catholic fellow subjects, (including the whole of the Catholic population of Ireland.) But I own, I much doubt that such an effect of concession would be so sudden: for, I fear, however lamentable the fact, it is yet not to be denied, that there is a wide-spread spirit of disaffection amongst the lower orders in Ireland, to the British government, which it must be a work of considerable time to eradicate, and which is not owing to the few remaining disabilities under the penal laws, as they do not, in fact, operate on the lower orders; and, consequently, cannot be so suddenly removed by the repeal of those disabilities. This spirit is not owing to the intolerance of one minister or another, or is it of recent growth. We must all admit the disaffection exists, nor is to be ascribed to the effects of the French Revolution, or the cry of Parliamentary Reform. The evil appears to me, my lords, to grow out of much deeper causes, and to have its roots in historical events; and it is, therefore, impossible to remove it by any immediate remedy you can apply. I do not, however, urge this as an argument against the present question; on the contrary, I feel the necessity of complying with it, and of doing away as speedily, and as far as possible, all causes of national discontents between the two countries. The disaffection of the lower orders in Ireland towards the British government, appears to me no more than the national consequences of that antipathy which a conquered nation always feels against the conqueror. This is a feeling natural to the human mind, and must continue until all distrusts are removed, and friendly confidence cultivated. In my mind, therefore, my lords, our policy should be to do away every thing that can revive the memory of former conflicts; but I believe it has been, unfortunately, too much the policy of those who have governed Ireland, to keep up distinctions in the country, and divide one party against the other. To eradicate the old and long cherished distinctions between Irishman and Englishman, must be a work of time and conciliation. Had those dis-

tinctions been done away with at the time of the Revolution, we should not at this day have to regret the misfortunes which have since occurred in that country, and the disaffections in the minds of the lower Irish towards this, which are still unabated; and though I am convinced, my lords, that the concessions proposed will form one great step towards a consequence so desirable, and though I am equally persuaded that time and measures of lenity and conciliation will ultimately crown the work, yet I am not sanguine enough to expect such immediate and effectual advantages from this measure as the noble earl so confidently predicts.

Marquis Wellesley.—My lords; before I proceed to address your lordships on the general principles of the great question before us, I cannot refrain from expressing my astonishment at some part of the speech of the noble and learned lord who spoke last but one; and particularly at that part in which he has alluded to a test which, he says, has been imposed in an Irish county, I think Galway, in which the Catholic electors have entered into Resolutions never to vote for any parliamentary candidate who should not pledge himself not only to support Catholic Emancipation, but also not to accept or solicit for himself or any other person, any office, power, or emolument, under the present administration, or any other, until that question be conceded. It seems, indeed, rather ludicrous, that in the noble lord's zeal to prevent the consideration of this question, he should have put a topic of this sort as it were in the very front of his argument; just as if the county of Galway possessed a political influence so formidable over the rest of Ireland, that it was necessary to relieve his Majesty's ministers from its pressure, by putting an end at once to this great topic. As I entertain no such apprehensions, as those of the noble and learned lord, from the circumstance he has stated, I cannot agree with him, in the necessity of dismissing the great question of this night.

My lords; the question before your lordships at this moment is, whether, under all the circumstances of the times, and of the country, and with all the Petitions that now load your table, all the representations and solicitations which have been made to you year after year, all the agitations which this subject has created, and still continues to create in Ireland,

and all the intreaties of the great majority of the wealth and population in that country, Catholic and Protestant, now pressing on you in favour of this measure;—with opinions, I believe, in most parts of this country, favourable to the question; at least with no manifest resistance or objection to it; whether, I say, with all these considerations before you, your lordships have made up your minds to negative the proposition this night submitted to you by the noble lord who opened this debate. I wish, my lords, to put the question briefly, and I ask you this, “Whether there is any of you who think that this concession ought not to be made, or that without it, the Protestant establishment would not be endangered; and whether the measure of itself, would not be a formidable bulwark to the Protestant establishment? I ask, whether there is one amongst those who oppose this question,—(and God forbid I should cast imputations upon the honour or integrity of their motives as public men, for I know that there are not in the world more honourable men than many of them), yet I ask whether they can face their country and the world, after refusing to enter into the discussion of this great question? For my own part, I should be the last man to suggest or to support any measure which I conceived injurious to the Protestant establishment. I feel it unnecessary for me to repeat my own conviction, that the maintenance of the Established Church is essential to the safety and to the morals of the community; and I consider some established religion as necessary to maintain the liberty of the country, and the power, the glory, and the strength of the kingdom.—But, if it is our great duty to preserve a religious establishment, it is a primary duty to preserve that of the Church of England; but still, this is not our sole duty in our relations to God and man, but as it is connected with other duties; which is in fact the case with all the duties of civilized society. I take it then as a first principle, from which no man will attempt to depart, that the first great object to be considered in this case is the general tranquillity, safety, happiness, honour, and interest of the whole community. I am convinced of the great fundamental axiom that our public duty must be placed on the broad and strong foundation of the general felicity and security of our empire; and any power exerted against this principle, would not be vigour, but violence. Violence,

in my opinion, is not vigour, but above all, not vigour in support of a religious establishment. In looking to the foundation of such an establishment as this, and in maintaining it afterwards, I must see that it is congenial with the happiness of the people. All these political duties are connected with each other: for what would become of liberty, without submission to the law? Or what of religion, without charity to man? and what would become of the duty of man to his country, if he did not maintain and support, as his first duty, its established religion? Above all, it is our immediate duty to support the Church of England, and, in doing this, it should be our first object to fix its roots in the happiness and attachment of the people, in order that they should be able to contemplate it as perfect in its discipline; arrayed in dignity; adorned by learning; pure and correct in its doctrines; an object of affection as well as of veneration; connected with their civil rights; ameliorating their condition; and containing nothing hostile to the security and the glory of the empire.

My lords; I will venture to say, there is not one of those venerable prelates who sit opposite to me, (and I am acquainted with many of them) who will say, that the safety of the Church consists in a disposition to refuse relief to the oppressions of any part of the people, or that that safety ought not to be maintained with the least of all possible encroachments upon the civil rights and enjoyments of the subject.

My lords; I was anxious to clear the view of the main question by stating these few preliminary and fundamental principles, in which all persons and parties are agreed, before the House comes to their peculiar application to the whole of this question; in order to relieve the House by the refutation of some principles which had been held out, and which stood as obstacles in their way.

I know, my lords, there are different opinions held respecting civil rights, as connected or unconnected with political power; but few will hesitate to acknowledge that there is a difference between political rights and civil power. I know, too, that it is held by some to be of the very essence of persecution to prohibit any particular form of religious worship. To suppose that persecution exists exclusively in respect to religious worship, is an erroneous doctrine. Such prohibitions, however, have been carried into effect in

different ages, and in states of very different characters, and though it may appear paradoxical, I hesitate not to declare my belief, that certain species of religious worship may be prohibited in many instances, in a manner perfectly consonant with the welfare of the state, and consistent with its political interests. I, however, am far from inculcating persecution although I venture to say that there might be a state of religion in a country, which it might be the duty of the state to prohibit. Religion is not a mere matter of commerce between man and his Creator, but a lively motive of public action, and however it may become matter of conscience, it must become also, like other things, a motive of human conduct, and of necessity, a subject of human laws. A great many crimes have been frequently committed under the pretence of religious feeling; and sometimes, undoubtedly, with a full, (however misguided) persuasion of fulfilling a conscientious duty; and when such principles become thus embodied with human actions, it surely becomes the duty of the state to interfere. I state these extremities with a view to probe this question to the quick; for when I hear it argued, that persecution consists in prohibiting religious worship, I say, that the rule is, that a state has a right to prohibit that of which the prohibition is essential to its security. This is matter of necessity; for, to use the words of a learned lord, "necessity creates the right—necessity limits it, and the very instant you pass the bounds of that necessity, you act unjustly;" and if, after the moment when that necessity has ceased to exist, the same measures of exclusion which gave it birth, are still persisted in, from that very hour, there will revert to those, on whom the exclusion operates, not an absolute right; for this I cannot admit, because there could be no such positive right, without the fair means of enforcing it; but there does, in my judgment, revert to them, the strongest possible claims for relief from that exclusion. And, on the other hand, it is a strong stretch of state justice to say, that persons professing a tolerated religious faith, and whose loyalty and known principles are unimpeachable, should still be designated as unfit to be trusted in public offices.

I shall now, my lords, trouble your lordships with a few of those detailed considerations which this question naturally suggests; and here I must beg leave to

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lead your lordship's attention back to all the laws of which the Catholics complain; to the true causes of such laws; and to intreat of you to consider attentively the times and circumstances in which they were enacted; and then to reflect dispassionately, in an impartial review of the subject. Knowing, as I do, my lords, the origin, the cause, and the state of the laws, I have no hesitation in saying, that so far from what the noble and learned lord opposite to me has stated being true, namely, that they are inseparable and immutable parts of our constitution, I think it will require very little elocution to shew to your lordships, not only that they are not of the description which that noble lord has given, but that of all the codes of laws that ever appeared in the world, they are the most perfectly reversable in all their circumstances, and may, with the most perfect safety, be overthrown totally under particular times and occasions, and are not fundamental in any part of their character. They were founded on temporary expediency, springing out of transient events, justified by immediate necessity, and by that necessity alone. I desire your lordships to look at the alterations which those laws have successively undergone, as the changes of times or of circumstances have prescribed; and therefore, if the facts are as I have described them, the question comes to a plain short issue. All are agreed, that the Protestant Established Church must be maintained, and that in this maintenance, if necessary, it is the duty of every loyal subject of this realm, to shed his blood; not for its maintenance in name only, but in fact, in all its dignity, in all its doctrine and discipline, in the exercise of all its grave and venerable functions, in all majesty, reverence, and honour. But it is now to be considered, whether it is essential to do this, by a system of exclusion and restraint, upon many millions of our loyal fellow subjects, within these realms; in preference to the milder and more Christian policy of liberality and conciliation. This is the real question for your lordships' consideration this night; and looking at it with reference to the present period, and all its concomitant circumstances, I declare upon my honour and conscience, that not only the advancement of our best interests, but the prosperity—the honour—the name, and even the very existence of the empire, depend upon the just consideration of this question. I wish

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to put it to your lordships distinctly, as an argument upon which I shall rest what I have to address to you this night,—whether your lordships are sincerely of opinion that a system of exclusion and restraint—of disqualification and proscription, either continued or extended, or whether a system of conciliation, benevolence, harmony and peace, would be the better security for our established religion, and for promoting the welfare—the safety—and the glory of the British empire.

Thus far, my lords, I conceive that I have carried with me, the general assent and acquiescence of the House. [The noble marquis had been repeatedly and loudly cheered through every argument he had hitherto urged.] I think with the noble lord who made the motion this night, that our deliberations should terminate in concession; but I would ask those who differ from this opinion, is it their meaning for ever to close your lordships' doors against these Roman Catholic petitioners? But do I call upon your lordships to make these concessions which I think necessary—previous to all guards and arrangements?—No! All I ask is, that the Petitions and claims of your Catholic fellow-subjects, which are now upon your table, supported as they are by those of the Protestant population, and wealth of Ireland, may be now taken into your consideration. True it is, that I, as well as the noble earl who made the motion, are decidedly favourable to ultimate concession; but is this disposition on our parts to operate as an insurmountable objection to the calm and impartial investigation and discussion of the petitioners' claims? It has been said, that this is a moment when the expectations of the Catholics have been greatly excited, and therefore that concession would seem as if the legislature were to yield to turbulence and clamour. Upon this point, whatever I know, I shall be silent at present; but it cannot be too much to ask of your lordships, that if you are pre-determined to pass sentence upon the hopes and prayers of your Catholic fellow-subjects, you will, at least, mitigate the severity of that sentence—at least sanction your decision under the name and authority of a full parliamentary enquiry; (Repeated cheers from both sides of the House) and instead of appearing to make this a question of triumph and victory, you will make it a question of truth; and not one merely

for the purpose of filling up an administration to procure the confidence of the sovereign.

A noble earl near me (earl Grey) on a recent occasion, in a speech which was not less eminently distinguished for glowing eloquence—for vigorous reasoning, and classic taste, than for honest sincerity and manly candour, has said,—“ You talk to me of security against the Catholics! I ask you to point me out the danger.” I will even go farther and say, “ Shew me the present security in withholding what the Catholics claim? (Cheers of approbation.) Nearly the whole of the Irish nation are aggrieved on account of their religion, under the supposition that that religion contains doctrines and tenets which are dangerous to the state, but which doctrines and tenets the Catholics themselves deny and abjure. They are, however, on this ground excluded in a certain degree from enjoying promotion in the army, from seats in parliament, from the situation of magistrates; and I ask, is this not a state more likely to excite the dangers apprehended, than any concession claimed by the petitioners? The Catholics of England, whose pacific demeanour no man ever attempted to suspect, and who had not at least the argument of numbers against them, are in a condition of still greater privations; and yet they are precluded even with greater severity by the same proscriptive sentence. In all the discussions upon this subject, amongst the many extraordinary propositions I have heard in defence of this system, it has been urged that these restrictions arose out of a general rule of state, universal in its operation, not acting by favour or partiality, but without exception; and it is therefore asked why the Catholics in particular should complain of hardships? But it happens, unfortunately for these who thus agree, that when the case is examined, the tests referred to are such as the larger part of the people have no objection to be tried by; but it is found that those who would seek for seats in parliament, and eligibility to certain offices, are debarred by oaths, which some of them cannot take, consistently, with their religious faith, their principles, or their honour. The Roman Catholics have made a public declaration of their religious sentiments, and published it to the world; but still the barrier is opposed to them, unless they do that which amounts to an abandonment of

their religious creed, and the point repeatedly insisted on is, that they have no right to complain, because the test is imposed upon all subjects.

Such then is this equality of operation! Here we find exemplified this boasted absence of all partiality! The noble earl opposite to me shakes his head; but I will endeavour to satisfy his doubts of my argument, by putting a case,—

Suppose for instance, the office of President of the Council were vacant, as it was a short time since, and that the test proposed to those who were chosen to fill it ran thus—

“I do highly approve the Copenhagen expedition, as a measure perfectly consistent with the law of nations, and equally necessary to the safety, good faith, and honourable character of the country.”

The noble earl (Camden) who lately resigned, would, without any reluctance or hesitation, accept this test, because it was agreeable to his former opinions, as the principal adviser of that measure; while another President, a noble friend of mine, (lord Sidmouth) who I am happy to see now in that situation, would rather have expired than attempt to take it. He indeed had wished to restore every old plank, and rusty nail, taken on that occasion, to their original owners. Here, then, is a case by which, I hope, I have proved that one man may swear to an opinion with a safe conscience, from which another may recoil with horror and disgust, and yet this difference not disqualifying either from an office of the highest trust in the state, much less subject the recusant to the suspicion of disloyalty. So much then for the perfect equality and justice of such tests; and will it after this be urged that a Roman Catholic gentleman, of whose morality, of whose loyalty, and scrupulous regard of oaths you do not—you cannot entertain any doubts, ought to be called on to declare, in opposition to his conscience, in opposition to his religious faith, principles not essential either to his loyalty, or to your security, before you will admit him to political confidence in any place of power or trust?

My lords, as to the distinctions which have been drawn between political power and civil rights, and, I hope, I shall not be suspected of fantastical notions on this subject, I can recognize no such distinction. In a free state it never can exist; they are adjunct attributes, and no man can have political power without the eligi-

bility to enjoy it; and it is this eligibility, and not the power, that the Catholics now ask. But to be disqualified from power, by a fictitious ineligibility, founded on opinions purely religious, and not practically hostile to the state, is a most cruel disqualification. Many of your lordships have passed through various honours, if not to the advantage, at least with the approbation of the country; and I can see few indeed, when I look around me, who have not themselves, or whose ancestors before them, have not been invested with the dignities, honours, and emoluments of the state. It is easy then for such men to turn round to the Catholic and tell him, “You are quite mistaken in the objects of your pursuit: we have tasted of greatness and power; we, who have mixed for the good of the state in all the conflicts of parliamentary contests, and encountered all the horrors of party, tell you, misguided as you are, that you are totally mistaken in your ideas of the pleasures of office. Trust to us when we assure you, that it is all vanity and vexation of spirit. The true happiness of the state itself depends upon your exclusion; and yours will consist only in a dignified obscurity, in the *mens sibi conscia recti*, in a quiescent state of life, in liberty of person, and security of property, and this is as much as reasonable men can desire;” these however were the sun and air of the constitution, and to whom in this country dare you deny them?

But I ask, notwithstanding the philosophy of this kind of counsel, are these the only rights and privileges to be enjoyed by the British constitution?—No! for there are other rights and privileges which by that constitution I must beg leave to say cannot justly be denied to any man, however miserable and weak, unless he has forfeited them by crime. I have always thought it to be the greatest glory, and the noblest species of ambition in the members of a free state, to be able to aspire to the high and distinguished offices of that state, to aim at rising in its public service, to be engaged in discussing its policy, in amending its laws, or improving its institutions, in leading its armies, or conducting its wars abroad, and afterwards to be rewarded by their sovereign, and to feel conscious that their services have elevated them through the forms, and to the ranks which the constitution opens to them. These sentiments have been at all periods the highest impulses of

human nature. These are the grateful fruits of the inheritance of freedom, and of those exertions which freedom alone can inspire.

Despicere unde queas alios, passimque videre
Errare, atque viam palantes quærere vitæ,
Certare ingenio, contendere nobilitate,
Noctes atque dies niti preestante labore
Ad summas emergere opes; rerumque potiri.

My lords, you are well acquainted with the expression of one of the greatest masters in policy and legislation of whom history can boast. The great Demosthenes, when accused by a rival adversary, and when the terror of exile or death hung upon his mind, scrupled not to declare, that if his adversary gained his point, he should lose all that he valued. What was that? The favour of the state! for as he valued the good opinion and distinctions which he had acquired by his conduct in the state, and the security he enjoyed under the laws, above all other good; so the loss of that favour, and the loss of that security, would have wounded his mind above all other calamities.

The petitioners, then, my lords, have lost the favour of the state, and in that they have suffered a loss which no human mind can calculate but those who feel it; but the severest and hardest feature of this system is, that the spirit of the law is in effect more cruel than the letter; for it not only excludes the Catholics from the paths of honour, and the privileges of the constitution, but it stigmatizes and degrades them in their own country, before the situation of the rest of their countrymen, and places them in the light, if not of criminals, at least of suspected persons. Whatever credit I give the noble duke now at the head of the Irish government, who I believe to be actuated by a sincere disposition to conduct the administration of public affairs, with the utmost liberality and generosity towards the Catholics, it is impossible for him to cure the vices of that system, which has grown out of those laws, by the abolition only of which it can be destroyed; I ask then, is this a circumstance of no danger to the establishment? It is said to be inflicted for the security of the established Church: but I have long held those to be the worst enemies of the Church who argue that test laws and preclusions are the best means of upholding it. I see opposite to me a right reverend prelate, most justly respected as the representative of the mild character of the Church over which he presides; and I

would venture to ask him, whether he does not think the Church would be stronger without the test laws, if it could be shewn that these laws are not necessary? What effect have those laws in the army but to foment discord, to infuse hatred and suspicion, instead of animating a common spirit of enthusiasm; by acting as an ingenious contrivance to bring subalterns into the service, and then stop their promotion, whatever might be their merits, and thereby to foment and inflame a sense of ignominy amongst those upon whom so much of the energy of your armies, and of the safety of the country depends. The effect is the same in other professions.—The profession of the bar.—These are suffered to adopt the profession of the law, but whatever their talents or character, the test law opposed an insurmountable barrier to their promotion. Could there be a more ingenious project than this to embody discontent and excite jealousy, just where they are most dangerous? From the magistracy, as well as from all public functions in their respective counties, even the Catholics who possessed the elective franchise are excluded. I ask, then, what is there opposed to all this which can bear you out in such a system of preclusion? I suppose a vigorous Church establishment, sufficiently strong and able to defend itself? I deny the fact; for although I do not wish to speak with disrespect of that Protestant establishment in Ireland, whose security is so readily believed in this country, nor to cast any reflections upon those who preside over that Church establishment, yet I know that the true state of the Church in Ireland, in a very great degree, consists of bishops without clergy, churches without clergymen, and clergymen without churches, parishes of considerable extent without clergymen, church, or glebe; many parishes frequently consolidated into one, with a common church too remote for the parishioners to resort to. Such then is the state of that Protestant Church in Ireland, whose security and influence are said to be founded on a rock! But I ask, are not such circumstances reproachful to a state? Can a Church so circumstanced possess such internal strength for its own defence against the mass of opposition excited against it? and is not that strength less likely to be increased by arming itself with violence against the mass of discontent set in array by the intolerance of the laws enacted for its support? but instead

of strengthening her for security, have you not rather encumbered her by the weight of the armour you have given for her protection? My lords, I ask, is it to be conceived that such a state of things can possibly last? Do you think that no advantages might arise from alteration? Those classes, not of the Established Church, are now all cemented together, by what touches their religion, because they know they are excluded for the sake of the establishment; remove then the obstacles, and the danger will vanish; for the question here is between the real and the alleged danger, and my astonishment is, that men are not appalled at the real danger which is most glaring, but direct all their apprehensions of the danger which is but imaginary.

My lords; I think I should not do justice to this part of the subject, if I were not to say a word or two to your lordships upon what I conceive to be the advantages that would directly result from the concession of these claims. These persons who are now kept in a state of discontent by reason of the laws against them, are, it is said, rendered ineligible to hold the advantages they claim. I ask, what is it that prevents them? The answer is, nothing prevents them but their religion. It is this Roman Catholic religion that they profess; and it is for the support of the present establishment that they are excluded. Why then, I say, if you wish to do away all danger to that establishment, introduce amongst them an individual interest for its support; and when you have done that, I do not imagine that the slightest danger can follow.

That religion is one of the primary motives of human actions, I will not deny: but will any man say, that it is the sole motive? will any man say that there are no other motives in human society, or will dispute that there will be individual motives excited, when an individual interest is held out? Will any man say that a priesthood can have the same influence over a body that is connected with society in all the common and ordinary relations and advantages that the state holds out? or that such a body will unite with any priesthood so disposed, for the subversion of that state? This I take to be impossible; and here let me add one of the nicest points of the whole. The Roman Catholic Church of Ireland, I know, it is said, are ready not only to admit, but ready to assert, the spi-

ritual power of the Court of Rome, in a fuller extent than any other Catholic country in Europe. But it must also be remembered, that the cause of this is, that the Catholics of Ireland never received from their own government the protection afforded by every other state in Europe, to separate them from the usurpation of the Pope, and hence the greater dependence of the Irish Catholic Church upon the see of Rome. I know that in all other Protestant states of Europe, the Catholics have been admitted to much greater privileges than this: and I do in my conscience think that to be the reason why the danger which is apprehended in Ireland is greater? It is because the Catholic Church in Ireland is not more under the protection of the state; and if we had made any arrangement for the purpose of supporting the Catholic priesthood of Ireland, the concessions to whose laity now are supposed to be dangerous, we should restore to the country a greater increase of safety to its establishments. But by keeping them from the common benefits of the country, you risk that security for which you now are alarmed. It is, therefore, my firm opinion, that if you would have real security against spirituals in the Roman Catholic Church of Ireland, you must give them temporals. Believe me, it is through temporals that you will secure yourself against the mischief of spiritual usurpation. Here then, I present to your lordships the ground upon which I think the Catholics are entitled to their claims, and I do believe, that in this statement alone consists the whole of the danger. I now ask you, therefore, will you not take these claims under your consideration? Will you not do it, when you consider the present state of this country and of Europe? I call upon you, my lords, as you value your duty towards yourselves and your country, to embrace the proposition now before you. And if you refuse to take it under your consideration, with such a body of danger as this existing in the very bosom of your country, it is not for me to anticipate, but for succeeding events to shew, the impolicy and imprudence of such conduct.

The next question which I would put to your lordships is the danger that is apprehended from the removal of these restrictions upon the Catholics. A great deal has been stated this night by a noble friend of mine upon this subject. But the duty of your lordships will be to compare

the real danger, which I have stated, with the alleged danger, which has been stated by the noble lord. And, in the first place, I must commence by asking again, what is our present security against all that danger? Our present security, as I understand it to be stated on the other night, results from oaths, some of which the Roman Catholics refuse to take: (and therefore we are influenced against them on account of this refusal,) and some other oaths which you tendered them, and which they have taken. So that it seems the principal body of our security now is, a reliance upon that very point which will be used as the argument the other way, to be the point of danger. The point of danger is, that we cannot rely upon any oath that these men may take as pledges for their conduct; because they can be absolved from those oaths by the dispensing power of that Church of which they are members, and from any oath which they may think inconsistent with their tenets, or with any of those doctrines that have been imputed to them. This is the danger we are taught to apprehend; the security is, that these people will not take these oaths; without them they cannot enter into any office, and on that we rely. And yet, if we examine the argument on the other side, I mean the argument of the danger that may result from these concessions, the very first thing that stares us in the face is, "you must substitute some peculiar oath." I would ask then, if their oath cannot be relied upon in one instance, how can you rely upon them in another? especially as there is a supreme power existing (God knows where) of dispensing with their adherence to these oaths, and that the tenets of their religion are such, that however they may desire so to do, yet that you cannot rely upon any one of them.

Why then, my lords, I wish to enquire into that point. Upon what is it that we rest our belief, that if the Roman Catholics were admitted into office, or into parliament, that their first object must be the demolition of the Protestant establishment? It will not be denied, I think, that if the danger does really exist, you are now, at this moment, suffering from it. But what is this danger that is apprehended? Why, it is said that the first desire of these persons, on coming into power, will be to demolish the present establishment. Do you really suppose, that the principles of human nature are different in a Catholic from what they are in a Protestant? or

that being once fixed in places of trust and honour, they will immediately proceed to destroy the establishment: and that in proportion as you increase the desire of office, you in that ratio increase the desire of destroying that very system which affords an opportunity of gratifying such desire! If any danger actually exists to the establishment, it is in that system which excludes the Catholics from all those advantages. Surely, therefore, it will not be contended that the danger will be increased, by admitting them to those advantages. The natural consequence must be to increase their allegiance, and rivet their affections to the state.

I think, my lords, I have already shewn that this step would not only increase their wishes to serve their king and country, but diminish any principle of resistance that might exist in their minds; because when you throw widely open the door of promotion and advancement, you do it to the whole body: so that in fact, by the individual interest you excite, you unite the whole body in the pursuit of the same views and objects with yourselves. You not only excite in them the desire and laudable ambition to attain possession of those honours and distinctions, which their fellow-subjects enjoy; but you absolutely diminish the number of malcontents. The very danger which you now apprehend exists entirely in these very distinctions. And if I could suppose a country where there was no religion, but where a portion of the subjects were precluded by law from following their objects in all the ordinary ways of human life, the same discontent must necessarily exist. Now, the dangerous disposition of the Catholics has been supposed to be contained in their tenets. But, I contend, that you have no right to suppose any danger, from the examination of those tenets; but to rely upon the ordinary and accepted compacts of the society in which we live. Now, in that point of view, I would ask, what is the security that is offered to you by these people? they give you their oaths, they give you their protestations, as far as they will go, and they give you their past conduct, and the pledges of their future conduct, for the sincerity of their intentions. They give you the example of Catholic conduct in every other Protestant state of Europe, they give you the declaration of all the learned Catholic Universities upon the continent; and they give you the solemn declaration of the last free Pope,

who has alleged the same thing, and who has abjured them from all those dreadful tenets that you hold to be so fatal to your state establishments. But still you will not be satisfied. Why? because the council of Lateran, Pope Martin 5, the emperor Sigismund, Joseph Huss, and others, have held opinions different to what the Catholics now profess; and yet the parliament of Great Britain would, in their wisdom and liberality, oppose the prejudiced opinions and musty doctrines of ancient times, against the practice of all Catholic Europe—against the loyalty, the integrity, and virtue of the Roman Catholics of Ireland, and above all, against the declaration of six great Catholic Universities, and that of the last free Pope. Really, my lords, with such incredulity, I do not know how it is possible to meet such arguments. But it is maintained that those circumstances of Catholic conduct, and Catholic professions, are no rule to go by now, against the Catholic tenets of former times. But I have always thought this a very gross and slavish perversion of terms.

Suppose I were to say that parliament was omnipotent. Suppose I was to assert that the King is immortal, is all perfect, and can do no wrong: it is certainly a maxim of our constitution that the King can do no wrong; and parliament, in its legislative character, has obtained the imputation of omnipotence. But to go into fantastical notions upon the subject, however plausible they may appear in theory, would be very unworthy the dignity of parliament, because, when they are reduced to practice, they are perfectly inconsistent with the spirit of liberality: and yet will a wise parliament propose an impediment to the claims of the Catholics, by a decision exactly of the same nature—the immaculacy of former councils, whose doctrines are long abjured and exploded. It can never be argued with any degree of gravity, I apprehend, that the Catholics of this day would revive any exploded doctrines, when once they should come into a participation of power. What, I ask, is the reasonable test by which you may judge of their tenets at the present day? The only fair and just criterion is the established practice of the whole body of the Roman Catholics in all the states where that is the religion. Suppose I wished to enquire, for my own private satisfaction, what were the doctrines of the Catholic religion, and what the practice of their Church? Would not common

sense direct me to the countries where that was the religion? Would I judge of the doctrines of this day, and content myself with forming an opinion upon them, by the practice of former times? Would I not rather look to the *formulae* and practice of the Church as it now exists? My lords, it is upon that principle I will form my judgment on this night; and I desire that you, in common justice and liberality, will extend the same principle to the Roman Catholics at your bar: that you will try them upon the principles which they themselves profess, and not by any exploded doctrines that may be found in controversial pamphlets or polemical disputes.

What, in the name of God, is there in the nature of their tenets, dangerous to the liberty of the people, or the security of the state? What do you fear from the power of the Pope? Has Buonaparté, who is, in fact, the present proprietor of his holiness, been able to wield his influence to any purpose? Perhaps some of my noble friends may have attended to what has been passing for these few last years in Spain and Portugal. Has Buonaparté been enabled, by any use of his property in the Pope, to produce any influence in his favour there? Has he been able to establish a new dynasty, under a person of his own family on the throne of Spain, or to shake the foundation of that monarchy? Has Buonaparté, with the aid of the Pope, been able to shake any of these principles of liberty burning in the bosoms of the Spanish people. What has been the great focus of liberty there? The Roman Catholic clergy;—it is an incontestable fact, that the Roman Catholic clergy of Spain have been the means of exciting the fire of that zeal which has so nobly distinguished their countrymen against Buonaparté; and with the Pope in Buonaparté's hands, what have they done? Why, they have established the succession to the crown in the line of their own monarch, now a prisoner in the hands of Buonaparté; and they have accompanied it with various constitutional revisions, to which no man will object on the ground of their being favourable to popular power. And yet they have done this while the Spanish monarch is a captive in the hands of Buonaparté, while the Pope was the unwilling property of that tyrant; and they have done this in the very face of a nuncio of the Pope then residing at Cadiz.

What!—can it be said that the power of the Pope is such, and that the principles of the Roman Catholic religion are so necessarily connected with arbitrary power. But I must use one other argument on the subject, which relates to the danger that those subjects would lead me to apprehend. My lords, I confess upon my view of the conduct of that great event, the Revolution, we are to consider what were the springs of its promotion: James 2 is strongly charged with an attachment to the Popish religion: certainly, I confess, although it formed a great and main feature of his character, and was one of those causes assigned for the Revolution, yet Popery was rather the symbol than the instrument of that arbitrary power which he attempted to establish. To enter now into a discussion as to which of these two objects most occupied his thoughts, is rather a point for historical antiquarians to ascertain, than a matter necessary to enquire here. Whether his attachment to Popery, or arbitrary power, was predominant, which of these he loved best, I will not pretend to say: but, I think, I might safely say, that he loved each for the sake of the other, and both for the sake of each. If we may take the opinion of Bolingbroke upon the subject, we may, perhaps, have some clue to find the truth. From him we learn that the education of that unhappy monarch was tainted with certain principles of arbitrary power. He said, that he drank the cup of arbitrary power to the very dregs. It is also stated that in the course of his residence in France, and other parts abroad, he became deeply tainted with the principles of arbitrary power; and certainly James 2 conceived that the Pope would be extremely useful to him in the establishment of arbitrary power; but I would ask, was the Revolution effected against him merely as a Papist? Let us put that question—Suppose now we were reviewing the transactions previous to that period, and were endeavouring to discover how that assertion is founded? In the first place he expelled the Jesuits: he recalled the dispensation of the tests: and he would no doubt have been perfectly ready to have committed a higher vice than that; but I ask whether he could have done what he did, seriously and essentially, as a Papist? And as there were many concerned in that transaction, do you think any of those great heroes and statesmen, who established the Revolution, would have said,

after he had performed these anti-papistical acts, "Now we will restore him."

My lords, when I ask you to consider of this transaction, I desire you to remember the Bill of Rights. What were the words of that great act? Do you recollect on what it turned? "The constitution and privileges of parliament.—The limitation of the King's prerogative.—The rights of applying to courts of justice for redress.—The right of petitioning the king in parliament, and various other most important rights: and above all it states "that excessive bails shall not be levied: that no excessive fines shall be exacted." Who, I would ask, inflicted these excessive fines? I answer, judges that had taken the tests before the Revolution—Jefferies and Scroggs. Jefferies took the test. He was an ardent and vehement Protestant. He was with the king in 1687, and until the very last hour was ardent in the profession and practice of the Protestant religion. But although the king's conscience was in the keeping of a Protestant chancellor, his ear was open to a Jesuit. Did he at that time rely upon the tests, in which so much stress has now been laid, for protection? The point cannot be denied, that he had no such reliance upon the tests. Why, my lords, in that glorious transaction which your ancestors achieved, not knowing any thing of religious tests or of what description they were, but educated in the original principles of that liberty which were violated by Laud and Strafford, and various other Protestants, they were induced to renounce all opposite opinions, and embody the whole mass of our civil and religious liberties in that great act.

This was the protection that our ancestors gave you for your rights and immunities. It was not merely upon this test or that test they fortified you; although I do not mean to deny that it was a part of the system. The main part of it was the spirit of your constitution, calling forth all its powers at once, to expel one who had degraded the kingly office, and make a bulwark to the end of time for your liberties. What did they do with respect to the crown? They fixed upon the throne a Protestant successor; but was that all they gave you? That was only the symbol of what they did, and like the Roman Catholics' belief of transubstantiation, we mistake the symbol for the substance. They embodied the liberties of your constitution upon that basis. There it was

that they rested the throne upon which they placed William and Mary; they placed those princes upon the basis of your liberties and privileges: they excluded a Papist succession, because a Papist succession at that time was intimately and inseparably connected with the violation of your civil rights and liberties: they fortified you with a double security, not merely one arising out of the circumstances of the moment, to be continued only during the existence of the dangers, but calculated to endure for all times, and applicable to all seasons, by the Bill of Rights.

How then is it that we wish to depart from the principles of that which is immutable and eternal? How is it that you wish to sacrifice what is permanent, in order to prop up that which was only a casual and temporary precaution—which was but the creature of an hour; and the danger of which has now long vanished, and can never return?

This is my doctrine; my view; and my opinion of the Revolution. These opinions cannot be controverted, and if they were, the whole fabric of your constitution would be shaken.

Now, my lords, I know not what further remarks to make, except one or two general ones, upon the danger of granting concessions: not merely of granting concessions to the Catholics, but of admitting into the state persons not of the established religion. A noble friend of mine, I understand, used an argument upon a former occasion on this subject, but which I had not the satisfaction of hearing; but in the course of that argument, according to the report I received, he cited a great authority, I mean that of the Prince of Orange, afterwards William the 3d, in his Answer to James the second's theory to M. Fayel, on the subject of a repeal of the Test Laws. My noble friend omitted, however, (I am sure not intentionally) the latter part of the Answer which he quoted, by which it appears, that military commands in Holland were sometimes possessed by Catholics; but as they were granted with caution, and still under the controul of magistrates, they could give no just reason for not employing them. Now let us compare this fact; and, under such circumstances, let us see how the whole bears to the general character and disposition of that monarch.

Your lordships are well aware, that immediately after the Revolution, he would have felt a great interest in the repeal of
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the tests. One would have imagined that he would not have taken such a step, when it is recollected, that the Protestant establishment was not then in full vigour, and when the liberties of the empire were just recently founded upon that establishment; and he would have been anxious by a contrary course, to improve his own credit and character among the Protestants of England, to whom he owed, in a great measure, his exalted station, and to whom, also, was due the attainment of the liberties of this country, and the rest of the empire. But I will conceive that he might have been disposed to concede the points to which I have alluded, under a conviction that they would be attended with benefit to the empire at large, and improve his own interests in the country; that these were not the real sentiments which were prevailing at that time, is pretty manifest; because, immediately after his accession, he himself proposed the repeal of those tests: and it was only in consequence of the opposition he experienced, that he found himself under the necessity of giving way to the general voice. But I take this as it stands. It is stated to you by this authority, that in Holland military commands were conferred during a considerable period, upon Roman Catholics, but with great precaution; and that there would be no danger in giving these commands, because they were under the controul of magistrates. Now, what was the situation of affairs at that time, in the States General of the united provinces? Why, not only that they were a military power, but that their liberty depended upon the preservation of their military power, in defence of which those very persons signalized themselves in an eminent degree, against Charles 2 of Spain, and Louis 14, both Catholic monarchs. Why then, I say, that if king William went so far as this, at that period, invaded as that country then was, by these two powerful monarchs; if he thought it safe at that time to confer military commands upon his Roman Catholic subjects in Holland opposed to these two great Catholic powers, and if he thought the danger of giving these commissions to Catholics sufficiently guarded against by the controul of the magistrates, I do not think this doctrine of king William will apply against the Catholics of Ireland. And I cannot help saying, when I hear the authority of king William quoted for the continuance of these unjust disabilities, or

the deprivation of any human being of his liberty, that it reminds me of quoting the Scriptures in justification of the African Slave Trade.

Then, all I ask of your lordships is, to compare the alleged dangers with the real dangers, and upon the balance of them to enter into the consideration of the Petitions upon your lordships' table, and make these concessions, with such securities as the wisdom of the House shall resolve upon. I do not ask of you to subscribe to any declaration of right on their part, or surrender any claims which may be thought ill-founded, as against them: but I ask you, most solemnly and seriously, after a reference to all the impending dangers which surround you, to enter merely into the consideration of this subject. Because, until we enter into its consideration, I cannot see how we can be able to lay before you any guard or security to which it may be necessary for us to lay claim, as the foundation of our boon. It is impossible that the question can come to an issue unless you hear what it is the Catholics have to say. As I stated on a former occasion, I still say, that until the temper upon this subject is abated on both sides, we have no chance of a wise and permanent decision. For how is it possible to bring both parties to a temperate consideration, if we refuse to deliberate upon the question. I have heard, on a former occasion, from the noble and learned lord on the woolsack, when a Petition was presented to this House, that the only way to give full and fair consideration to the prayer of the petitioners, was to refer the Petition to a committee. Why then, my lords, I cite the authority of that noble and learned lord, in aid of my present object. To go to a committee means to give consideration. Why then if you do not go to a committee, there is no possibility of giving it a fair consideration. The committee is the place where you may first examine what has been the system upon which those laws respecting Ireland were founded; there you may examine what laws have been enacted; how those laws have been altered, or mitigated: ultimately you may enquire, what is the present state of them; and when you have the whole question before you, you may examine this great fundamental and important doctrine, whether the Protestant establishment is best supported by civil restraints, penalties, and exclusions, or, by a system of peace and

of charity, consistent with the mildness of our religion, with the true spirit and principle of the Revolution, with the character of our liberty, and the parental spirit of this great state.

The Earl of Liverpool.—My lords; my noble friend has commenced his speech, by calling on your lordships, whatever may be the ultimate decision of this question, to go into a committee upon the subject. My lords, my view of the subject is so different from that of my noble friend in every point, that I have no difficulty in saying, that upon every view which I could take of the question, the motion of the noble lord opposite would have my decided negative.

My lords, I certainly do not wish nor desire any person, who may be of opinion that out of such a Committee benefit would arise, to withhold any wish of theirs upon that subject. But, my lords, I do say, as my own confident opinion, that from a motion such as this, under all the circumstances of the case, in the present state of the country, and in the present temper of the Catholics, no benefit whatever is likely to arise; but on the contrary, and it is in that view that I oppose this question, taking into consideration the temper and disposition of the parties, the adoption of this motion would be only calculated to alarm the established Church, and ultimately to disappoint the Catholics; and therefore I shall agree in the proposition for giving this question a decided negative.

My noble friend has gone into a long and laborious detail upon this subject; but I confess, that if his argument was true, if his view of the question was right, I would think he had less reason for voting to go into a Committee than almost any person; because, if his view was true, if the danger of refusing these concessions was as great as he represents, and the danger of granting was so little, the true mode would be to resolve at once into a measure for repealing of these tests and disabilities, and put an end to all deliberation that might be necessary upon the subject.

The view which my noble friend had taken of this subject is certainly a very extended one, and, my lords, I will endeavour to follow him through the different grounds which he has taken; and if I misrepresent any opinion of his, or do not state it correctly, he will do me the justice to believe that I have not done it wilfully.

I am extremely anxious that any point which is at issue between us should be ascertained with care; but on any point where no difference does exist, I shall be willing to concur with my noble friend.

My lords, without going at present into that part of the subject which formed the commencement of his speech—without entering into any detail of how far religious establishments are, or are not, necessary to a state—how far they constitute the main object of a state, compared with other essential objects, I do not feel it necessary now to discuss, because I believe we shall all agree that religious establishments do form a most essential and important part of the government and interest of every civilized state. My lords, I do subscribe to the principle which the noble lord, both on the present occasion, and upon various other occasions, has laid down as the foundation of his reasoning upon this subject, namely, that every restraint, civil, political, or religious, is to be considered as an evil in itself, and justified only by necessity. We, therefore, have only to consider, whether the balance of advantages resulting from the continuance of a system of restraint and exclusion, would be the same if it was removed, and decided accordingly: this, therefore, brings the question immediately to its fair and natural issue. But there is another principle connected with this to which the noble lord has alluded, but upon which he will give me leave to say, he has fallen into some mistake. I mean that the tests that are imposed, by bearing harder on some particular classes of his Majesty's subjects, are, as the noble lord contends, to be considered as an evil. Now, I think it material to say, that in any view in which I have understood that argument, it has not been stated, and never was understood in the sense wherein the noble lord puts it. It was understood, in the consideration of this question, rather as controuling the general principle to which he referred, namely, that there was not in the constitution of this country, any exact and direct principle of exclusion turned entirely upon the tests, which the legislature had imposed. I admit that an indirect exclusion may be as urgent under certain circumstances as a direct exclusion; but, I think, it is material, with a view of unravelling the argument, that it should be understood that it is not upon any principle of direct expulsion that the Catholics are excluded, but the indirect operation of tests. And

the question for your lordships now to determine is, whether these tests are not indispensable to the security of your establishment in church and state; and whether they do, or do not bear with greater severity upon particular classes of his Majesty's subjects? Upon this question it may be necessary to descend to some particularity.

Undoubtedly, the first consideration that presents itself to our minds is the difference between the tests in different parts of the kingdom. In England we have tests in corporations, and tests taken by persons holding offices, civil or military, according to act of parliament, and certainly any difference that may exist between the test imposed upon the Catholics in England and those of Ireland, I have no difficulty in declaring my readiness, under circumstances, to give my vote for the repeal of that difference, whatever it may be. But, in Ireland, whatever may be the merits of those tests which affect that country, the whole question of civil disabilities stands upon a footing entirely different to what it does in England. In Ireland you have no test and corporation acts, as such, you have no law in force in Ireland, which obliges Dissenters, generally, to conform in the way that the Church of England obliges the people of this country to its views and policy. In Ireland your tests apply directly to the Catholics exclusively. They apply to their doctrines only, and they do not bear upon all other Dissenters within that part of the United Kingdom. I admit, therefore, that in Ireland, the question stands upon a different foundation from what it does in England; and I am prepared to say, and I wish that it may be distinctly understood, that if the difference between the Catholic and the Established Church, were differences barely religious, if they were confined to doctrines purely of a religious nature, such as transubstantiation—the invocation of the saints—the adoration of the Virgin Mary—if they were confined to doctrines of that description, in my opinion, I should say that there was no reason for putting the Roman Catholics upon a worse footing than any other class of Dissenters in the British empire: but that is not the main difference between us. The point which we are to consider, whether right or wrong, is, that there are other tests applied to their opinions that do not relate to points purely religious—that do relate to points connected with the civil and religious govern-

ment of the state, and which we contend are necessary for the security of the country; but which the Roman Catholics cannot get over. Your lordships will see, that if we look at the Oath of Supremacy, that is one of the tests to which they make objection; but of which, it appears to me, they have taken a false and erroneous view; because your lordships are aware that that oath does not call upon a person to say that the King is the head of the Church. It is an oath simply of abjuration—it is an oath that only calls upon a person to say, that no foreign prince, or foreign potentate hath, or ought to have, any power or pre-eminence, or supremacy in these kingdoms. The question then, I say, arises out of the principle already stated, namely, how far this principle is necessary to be maintained, for the security of your civil and religious liberties. As to the case itself, certainly if there could be found any person who never heard of the differences between Protestant and Papist, and to whom it was stated that there was a power in Europe which claimed a general jurisdiction in all countries; that there were certain countries that denied that jurisdiction; and the question was put to him, as to the reasonableness or expediency of that independent country so denying that supremacy, that they should put a test to all persons who wished to possess all civil situations, and who claimed civil power and certain other rights, I think, that were such a proposition put to a person—ignorant of the dispute between Catholics and Protestants, the answer would be, that such a proposition was so reasonable, so just, and carried along with it the principle of an independent government and country, that no persons in the state ought to refuse to take it; or if they did refuse, they ought not to complain of exclusion: because the question here stands upon the same footing. The principle of a Protestant state, feeling that it is independent, that it has full power within itself, and that no power out of it has any authority to interfere in its state policy.

It does, therefore, appear to me, that those who claim a right to exercise power in it, should acknowledge the supremacy of its power, and should take an oath to bind them thereto. But then, we hear it now stated in argument, that the Roman Catholics are ready to disclaim all civil and temporal power in any foreign potentate or authority, and that they only wish

a spiritual authority in the Pope, to be recognized, exclusively. Now the question is, how far it is possible to separate spiritual from temporal power? I am not disposed to discuss in the abstract, how far it may be possible to separate them; but of this I am certain, that it is impossible to separate spiritual and temporal power in any country, in which there is the larger proportion of the population Roman Catholics. This I state as founded upon the system of that Church itself, and I never heard, and I should be glad to hear, something like an answer to this argument. It has been stated, that the spiritual power of the Pope, according to the Roman Catholic notion of it, is supreme. But then, is it not evident, that it applies not only to the most sacred of institutions, upon which, in fact, depends the whole form of civil society; but that it applies to the institution of marriage, which is the foundation of all civil society, whether it be of the Christian, Mahometan, or any other religion whatever; it forms the basis of society, of all the charities of life, and is an institution upon which depends nine out of ten of all the questions affecting property. And yet every one knows that the law of the Roman Catholic religion, upon this subject, is different from the Protestant. The Roman Catholic thinks that it is a question not fit for the decision of temporal courts, while the Protestant thinks it is. But that which is material on this subject is, that the Roman Catholic does not apply to the ordinary tribunals of the country for jurisdiction in this question, conceiving that the spiritual court, alone, has controul in matters of this nature, and that in the dernier resort, appeal only lies to the court of Rome itself.

Now with respect to the charges exhibited against the Roman Catholics, in a moral point of view, I cannot believe them. I do not believe they hold the doctrine of not keeping the faith with heretics; and I verily believe as far as any moral principle, not connected with the Established Church, their institutions are as pure as our own. All I say is, that with regard to their ecclesiastical opinions, as contrasted with our own, they are different with those of his Majesty's Protestant subjects: and when I apply this to the institution in question, can it be safe in a Protestant country, to place upon your bench of justice, judges to decide upon the state of property, who hold the laws of the country conscientiously, to be directly at

variance with that of their own religion, who believe that the law of the country to be adverse to the law of God.

Now, my lords, follow this principle through other points of view—Theirs is not an elective Church. It is an hierarchy. It has the same gradation of rank with the Established Church, from the highest to the lowest. It has also the same principle of ambition and desire for the same temporal power as the Established Church. But in whom is that mass of patronage to be placed to which such an institution would naturally give rise?—Why, in the Pope himself;—a foreign power—a foreign potentate. Why then, the question is, whether a jurisdiction of the kind in all the appointments, in all the ecclesiastical gradations of the Catholic hierarchy,—a power which has the same influence in the jurisdiction of the Roman Catholic Church, as the King of England has over the Protestant, with the same means and temptations laid open to them in common with all men: will any man say that an establishment of that kind, under the influence of a foreign power, may not be made a formidable instrument of danger in such hands? And may it not be a fair subject of jealousy in a Protestant country? Then, my lords, apply this further to other principles: apply it even to what may appear purely spiritual: namely, to excommunication and all its consequences. Are noble lords aware of the consequences of excommunication to individuals who incur the penalty of that sentence: They may see in their courts of law, one trial which has taken place, where the most important temporal effects have arisen out of offences, if they were offences—but offences which, in a fair sense of the word, were of a mere spiritual nature, and which became subject to that punishment? It gives the power of personal confinement, and corporal punishment, to the persons exercising it; and, therefore, no man will say that is not a temporal power? I will next call your lordships' attention to the important powers of absolution and auricular confession:—I do not direct your lordships' attention to that power as it is understood in its spiritual effects—but to the temporal power with which it invests the priesthood of Ireland; and it gives more temporal power and authority to those persons amongst the populace than can be claimed by the state. My noble friend has alluded to the doctrine respecting the Pope at this day. He believes

that the tenets of the Catholic religion are different from what they were formerly. I believe the statement of my noble friend was not made without foundation: but, I think, it goes to this effect, that you are the more seriously called upon, before you make these concessions, to know what is the state of these opinions, and whether any, and what securities can be obtained from the Roman Catholics? But I have stated generally what are my sentiments upon this subject; and in putting an interpretation upon the principles of the Roman Catholics, I do not wish to refer you to opinions of a remote period, or to ancient authorities; but the authority to which I wish to refer you, is the Roman Catholic authority of an Irishman and a priest at the present day; a person of most respectable character, of great learning, in a synod of February 1810, the doctrine to which I will now allude, was recognized and published through the pamphlet of that learned man. And if that doctrine be truly stated, it will follow that the resolution in which it is recognized, expresses the sentiments of the Catholics themselves at this day. That learned man states that there is a great deal of flesh and blood in this spiritual power; that the bishops claim the power of imprisoning in episcopal matters, of whipping and other tortures, of settling the fees of the inferior clergy on baptism, &c. And will any man say that these are not powers of a temporal nature?

These, my lords, are not the opinions of any prejudiced Protestant, nor the opinions of an authority of any remote time; but they are the opinions of a man learned in the knowledge of the subject, a pastor of the Roman Catholic religion, and now in existence; and if the opinions of the Catholics of former times were different from what they are now, these are, however, the sentiments and opinions of persons most anxious for the furtherance of this great object. But until the opinions of Catholics are further explained more at large by themselves, and we are to judge of this question with reference to present times and sentiments, we must act upon the information we have.

I now wish to know what is the effect of these doctrines, and the difficulties, and, I may say, almost the impossibilities of drawing any distinction between spiritual and temporal power. I wish noble lords, who support the motion, to say how a conscientious Roman Catholic can act

with respect to those disputed points of authority? In a thousand questions of daily occurrence, the Roman Catholics may be placed in a situation where there are two conflicting authorities. Is it not natural, therefore, for him to prefer the higher duties to the lesser? May not a Roman Catholic who considers himself thus in allegiance to two authorities, in a matter of doubt, consider his spiritual duties first, and his temporal duties afterwards. Therefore, my lords, I cannot see that there is any possible principle by which you can act with safety to yourselves, if you make the proposed concessions.

As long as this country is a Protestant country—as long as you maintain its government by Protestant laws, I do profess myself that I am at a loss to see how it could be safe, to put persons who entertain such opinions as these, into the possession of places or power of any considerable importance.

My noble friend says, that the danger now is not so great, when compared with the circumstances of the present day, as it was formerly. I certainly am disposed to admit that these opinions might, indeed, according to different times and circumstances, be more or less dangerous; but if ever there were circumstances in the history of the world where they were more dangerous than ever, now is that time. Formerly, when the question discussed was between Protestant and Papist, Catholic Europe was divided. There was a balance of power between the different states of Europe: and the very circumstances arising out of that balance made the Pope an independent power: but now, circumstances are quite different, because all the continental nations are under the influence of France. My noble friend has alluded to the present situation of the Pope, and he has stated that his holiness, acting upon the dictates of his own conscience, rather than forego the maintenance of his own opinions, has submitted himself to the degradation and humiliating situation of a prisoner to the French authority. Now, if that Pope should in the course of nature be taken off, we have no security for his successor. Who has the power of deciding as to his being canonically elected? Do we not recollect the present circumstances of the times?—Do we not know that the greater part, I may say the whole of Catholic Europe is under the dominion of France?

Do we not know that Rome is at this moment considered the second town in the French empire? Under these circumstances, then, who is to decide what dangers may not arise; and what new and dangerous increase of power may not be added to the Papal authority? Therefore, my lords, I cannot see any circumstances which make the danger less now than it ever was. The dangers may have diminished in some respects, but then my noble friend puts an argument which he admits, after all, must, even in the most fanciful judgment of every man in the country, be allowed; namely, the danger of making these concessions before the consequences of these dangers are discussed. But I will fairly state, that upon the fairest view I could take of this subject, the result, in my mind, has been this, that the danger of granting the concessions at this moment is, upon the whole, greater than that of withholding them; and, therefore, if the danger in the former case appears much greater, upon the comparison, I should rather be inclined to risk the latter than run the chance of the former.

I think it my duty here to consider what the danger of concession is, as far as it respects the security of the government. My noble friend does not see how this is to form a part of the question. Now, the question which we ask of those who conceive the Catholic claims should be conceded upon the general grounds that are stated, is, if this was granted would there be a complete barrier against all further demands? What security, I would ask, have we, if we granted all they now ask, that they would stop here? I would beg to say one or two words upon this subject, and refer your lordships to the conduct of the Catholics, at a former period. In the year 1792 the elective franchise was demanded upon very different conditions from those on which it was held by the Protestants. It was not at all demanded upon equal terms with them; but in the year 1793 that privilege was conceded to them upon the same terms as the Protestants, in virtue of the reasons then assigned. How long did those concessions keep them contented? I do not mean to cast any injurious reflections upon them; but your lordships are aware that in the year 1795 they applied again to parliament for the purpose of removing all their religious disabilities. I have already stated that I completely acquiesce in the Roman

Catholics of all those immoral tenets that have been laid to their charge; and I believe most sincerely they have no foundation in fact; but we cannot forget that they consider that theirs is the only legitimate Church in the world; we cannot forget that they are adverse to our ideas upon this subject, not by doctrine only, but they consider that their Church has an universal jurisdiction, not in one particular country, but in all countries; and that this forms an essential and vital part of the Roman Catholic religion. Now, is it in the course of human nature to suppose, that were you to make these concessions of political power, they would rest satisfied, or that they would not look forward to the furtherance of their own religion, and the establishment of that religion in these countries? What temptation, my noble friend asks, have they, more than any other man, to injure the present establishment? When you come to the question, you will find what motives they would have; you would find a very powerful interest created, prejudicial to the Protestant establishment. With regard to the present question, however, and I wish not to be misunderstood, my sincere opinion is, that the immediate effect of this measure would be merely to benefit a small proportion of your Roman Catholic subjects directly and immediately; but at last it would begin to be considered by them, with respect to their Church establishment, whether they shall pay for the maintenance of two Churches or one? Your lordships will see the consequence of that. The question would be then, whether they shall pay their own clergy instead of the Protestant clergy? And, I would ask, is there a man in Ireland of any rank or description who is not directly and intimately interested in that question? Therefore, out of this, arises as soon as this question is disposed of, a second question—namely, as to the policy of this proceeding. By this measure there is no doubt you will directly benefit a few; but the instant you would pass such a measure as this, you would have all ranks and sects of the people laying claim to that privilege to which I have alluded.

My lords; in considering the interests of the parties who would be affected by this measure, you would not lose sight of the interests of those whose very circumstances from the nature of their situations, would, above all others, be most affected by the measure—the great body of the clergy of Ireland—who would feel a direct and im-

mediate interest in the question; whereas the Roman Catholics have only an indirect interest in it. But my noble friend, I really think, was a little misled in this part of his argument, and departed not a little from his premises; for in the beginning of his speech, he said he was a friend to the Protestant establishment in Ireland; whereas, in fact, the whole of his arguments went to this—that there would be no safety for that establishment until the Roman Catholic clergy were established in Ireland: and I do maintain, from the opinion of the noble baron opposite, and I do say, that the very inference of all the arguments and views that have been urged on that side of the House goes to this—that Ireland should be made a Roman Catholic country, and that the establishment of Ireland should be Roman Catholic.

It has been suggested that it would be right to divide the whole of the temporal emoluments of the Church of Ireland between the Catholic and Protestant clergy. I shall expect then, when the subject is more matured, to hear that the Irish Protestant bishops, having first generously made over a portion of their endowments, for the peace and maintenance of their Catholic brethren, are ready to make a further proposition, as in some of the German states, to subject all his Majesty's dominions, by law, to a division of the produce of ecclesiastical dues between the two Churches. That this is an opinion entertained it is not irrational to suppose; but that it is one of the consequences that will follow the concession of the Catholic claims, I most sincerely believe.

My lords; we are not without authorities upon this part of the subject in foreign countries; and I should be glad to know where you would find a preventive of that spirit of partiality to which the confliction of these different interests must necessarily lead? I believe I may safely say that there is no free state in Europe, in which it has been found practicable for Catholics and Protestants, for any long continuance, to administer government under the same system together.

In Switzerland we find it was not the case, nor in Holland; and in Poland the attempt was made, but it terminated in the exclusive domination of the Catholic religion. I know that it has been the case in arbitrary monarchies, where they have coalesced; but so, I say, the question stands with regard to Ireland. My

noble friend says, take away the interest that is hostile to the establishment, and you are secure. For my own part, I believe that if in Ireland you could establish the Roman Catholic religion, still you could not preserve a Protestant king; because the Roman Catholic clergy would look up to the crown for their temporalities, and the laws of the Church must be Roman Catholic instead of those of the religious establishment of this country. But the question is this—whether in a Protestant country, whilst it remains Protestant, you can introduce a Roman Catholic Church power without an insurrection, or at least the most hostile prejudices against them? I say it is inconsistent with the principles of government, and at variance with every example of history.

What do the Roman Catholics say themselves? I do not wish to go now into the question of the Veto. The Roman Catholics have some of them recommended what their advocates have held out; but they profess exclusive submission to a foreign Catholic Church, and then they call upon you to admit them to all the benefits of your Protestant establishment. This goes most materially and most essentially to the most important consideration under which this question is presented to you. My lords, if I am to consider the effect that this measure may have upon the constitution of this state: If I am to consider of the effect it may have upon the political and civil establishment of Ireland, I do believe whatever convenience may arise, from acceding to these claims, the inconvenience would be infinitely greater than the danger of refusing them at once.

When I speak of the opinions of the Roman Catholics, as they maintain them at present, I do not shut out the hope that some serious and essential changes may take place. If they do the question may come, under new circumstances, before parliament. Then will be the proper time to entertain the consideration of the question. But until we have these changes, or until we have sufficient security against that foreign power of which I have spoken, I do consider it to be utterly inconsistent with the principles of our constitution to admit the Catholics without them.

My noble friend concluded his speech with a reference to the constitution as established at the Revolution; but I will not go into the consideration of that question. My noble friend seems, however, very much to under-value the security

which the intimate connection between the Protestant establishment and the government gives to the constitution. My own view of that point of history called the Revolution of 1688 is this—that the Church establishment of the country, as it now exists, has always been an object of affection to the government, and that the Revolution was as much founded upon the principle that the state should be Protestant as that the monarchy should be limited. The object sought by that great event was the maintenance of our religious, civil and political liberties together. I maintain that civil power and religious liberty were united in that great event. They were both considered as essential to the liberties of the country and the establishment of the Protestant religion.

In viewing this question, let me intreat noble lords to consider upon what principle you can justify the limitation of the crown to a Protestant succession, if this question, as of right, can be admitted? You have done away all restrictions upon the Catholics short of political power, and now it is desired to surrender that. If this is a question of expediency I can understand it; because expediency says you may go to a certain length. But if it is argued as a question of right, I maintain, as the result of my opinion, that you have no alternative, and you can do nothing else. That they will not stop at the point that we may think expedient is pretty evident—the prayer of this Petition is for every thing. You are not desired to consider their case with a view to give them any particular privilege, or a part of what they ask; but you are called upon not only to give every thing, but to consider their demand upon the ground of right. My lords, then, if it is an essential principle of your Protestant constitution, that your king is to be a Protestant, I ask upon what principle of justice it is you can exclude the Catholics from having a Catholic prince in possession of the crown? If you surrender what they now claim, then I would ask you, would you put a Roman Catholic family on the throne under these notorious circumstances that I have stated? and if you would not, how could you exclude the Roman Catholics, if it be their right, from the benefit of having a Catholic monarch? I do therefore maintain, that the very essence and principle of the Revolution was that you should have a limited monarchy; and that the state should be Protestant: to extend toleration and reli-

gious freedom to the farthest point they could go: that no principle of exclusion ought to be found, unless you are thoroughly convinced that the dangers arising from exclusion are greater than those from concession. I am thoroughly satisfied that in the present state of things, no benefit can arise from the discussion of this subject. You are called upon to make—not a particular concession,—but to concede the whole; and upon grounds, as I think, inconsistent with the general security of the establishment of your country; and upon that ground I give my opposition to this motion.

The Marquis of *Downshire*.—My lords; I rise to say a very few words upon the motion before you, in support of the vote, which I feel it my duty to give on this question. The Petition before you speaks the sentiments of the great body of the Roman Catholics of Ireland, praying for final Emancipation from the penal restrictions under which they labour, merely on account of their religious sentiments. It is signed by very great numbers of the Protestant population of the country, eminent for their characters, for their loyalty, for their attachment to their king, country and constitution—for their great landed property, and consequently for the great stake they possess in every thing which can interest them in the security of the constitution, in the maintenance of the state, and the permanent tranquillity and happiness of their country; which happiness they firmly believe to be vitally and insuperably connected with the complete Emancipation of their Roman Catholic brethren; who labour under political grievances, in the removal of which, I believe in my conscience, there would not be the least danger to this Protestant state; while, on the contrary, I do most sincerely think, that removal would be equally beneficial to every description of his Majesty's subjects—that it is essential to the maintaining the security, and the existence of the British empire; and to the union of all hearts and hands within that empire, for its defence against the dangers by which we are surrounded. In presenting to your lordships the particular Petition which I had the honour of laying on your table, I only complied with the solicitations of a very numerous body of the Protestant and Catholic gentlemen residing in that part of Ireland where I am more immediately interested, and I sincerely wish that I may prove a successful

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instrument of obtaining for the Catholics of Ireland, the object of their claims. I shall not longer detain your lordships by referring to arguments which have already been so much more ably and eloquently urged in favour of those claims, than I could do, and I shall conclude by giving my decided vote in favour of the motion.

Lord *Byron*.—My lords; the question before the House has been so frequently, fully and ably discussed, and never perhaps more ably than on this night; that it would be difficult to adduce new arguments for or against it. But with each discussion, difficulties have been removed, objections have been canvassed and refuted, and some of the former opponents of Catholic Emancipation have at length conceded to the expediency of relieving the petitioners. In conceding thus much however, a new objection is started; it is not the time, say they, or it is an improper time, or there is time enough yet. In some degree I concur with those who say, it is not the time exactly; that time is past; better had it been for the country, that the Catholics possessed at this moment their proportion of our privileges, that their nobles held their due weight in our councils, than that we should be assembled to discuss their claims. It had indeed been better

“Non tempore tali

“Cogere concilium cum muros obsidet hostis.”

The enemy is without, and distress within. It is too late to cavil on doctrinal points, when we must unite in defence of things more important than the mere ceremonies of religion. It is indeed singular, that we are called together to deliberate, not on the God we adore, for in that we are agreed; not about the King we obey, for to him we are loyal; but how far a difference in the ceremonials of worship, how far believing not too little, but too much, (the worst that can be imputed to the Catholics,) how far too much devotion to their God, may incapacitate our fellow-subjects from effectually serving their King.

Much has been said, within and without doors, of Church and State, and although those venerable words have been too often prostituted to the most despicable of party purposes, we cannot hear them too often; all, I presume, are the advocates of Church and State, the Church of Christ, and the state of Great Britain; but not a state of exclusion and of despotism, not an intolant Church, not a Church mili-

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tant, which renders itself liable to the very objection urged against the Romish communion, and in a greater degree, for the Catholic merely withholds its spiritual benediction, (and even that is doubtful,) but our Church, or rather our churchmen, not only refuse to the Catholic their spiritual grace, but all temporal blessings whatsoever. It was an observation of the great lord Peterborough, made within these walls, or within the walls where the Lords then assembled, that he was for a "Parliamentary king and a parliamentary constitution, but not a parliamentary God and a parliamentary religion." The interval of a century has not weakened the force of the remark. It is indeed time that we should leave off these petty cavils on frivolous points, these Lilliputian sophistries, whether our "eggs are best broken at the broad or narrow end."

The opponents of the Catholics may be divided into two classes; those who assert that the Catholics have too much already, and those who allege that the lower orders, at least, have nothing more to require. We are told by the former, that the Catholics never will be contented: by the latter, that they are already too happy. The last paradox is sufficiently refuted by the present as by all past Petitions; it might as well be said, that the negroes did not desire to be emancipated, but this is an unfortunate comparison, for you have already delivered them out of the house of bondage without any Petition on their part, but many from their task-masters to a contrary effect; and for myself, when I consider this, I pity the Catholic peasantry for not having the good fortune to be born black. But the Catholics are contented, or at least ought to be, as we are told; I shall therefore proceed to touch on a few of those circumstances which so marvellously contribute to their exceeding contentment. They are not allowed the free exercise of their religion in the regular army; the Catholic soldier cannot absent himself from the service of the Protestant clergyman, and unless he is quartered in Ireland or in Spain, where can he find eligible opportunities of attending his own? The permission of Catholic chaplains to the Irish militia regiments was conceded as a special favour, and not till after years of remonstrance, although an Act, passed in 1793, established it as a right. But are the Catholics properly protected in Ireland? Can the Church purchase a rood of land

whereon to erect a chapel? No! all the places of worship are built on leases of trust or sufferance from the laity, easily broken and often betrayed. The moment any irregular wish, any casual caprice of the benevolent landlord meets with opposition, the doors are barred against the congregation. This has happened continually, but in no instance more glaringly, than at the town of Newton Barry in the county of Wexford. The Catholics enjoying no regular chapel, as a temporary expedient, hired two barns; which being thrown into one, served for public worship. At this time, there was quartered opposite to the spot, an officer whose mind appears to have been deeply imbued with those prejudices which the Protestant Petitions now on the table, prove to have been fortunately eradicated from the more rational portion of the people; and when the Catholics were assembled on the Sabbath as usual, in peace and goodwill towards men, for the worship of their God and yours, they found the chapel door closed, and were told that if they did not immediately retire, (and they were told this by a Yeoman officer and a magistrate,) the Riot Act should be read, and the assembly dispersed at the point of the bayonet! This was complained of to the middle man of government, the Secretary at the Castle in 1806, and the answer was, (in lieu of redress,) that he would cause a letter to be written to the colonel, to prevent, if possible, the recurrence of similar disturbances. Upon this fact no very great stress need be laid; but it tends to prove that while the Catholic Church has not power to purchase land for its chapels to stand upon, the laws for its protection are of no avail. In the mean time, the Catholics are at the mercy of every "pelting petty officer," who may choose to play his "fantastic tricks before high heaven," to insult his God, and injure his fellow creatures.

Every school-boy, any foot-boy, (such have held commissions in our service) any foot-boy who can exchange his shoulder-knot for an epaulet, may perform all this and more against the Catholic, by virtue of that very authority delegated to him by his sovereign, for the express purpose of defending his fellow subjects to the last drop of his blood, without discrimination or distinction between Catholic and Protestant.

Have the Irish Catholics the full benefit of trial by jury? They have not; they

never can have until they are permitted to share the privilege of serving as sheriffs and under-sheriffs. Of this a striking example occurred at the last Enniskillen assizes.—A yeoman was arraigned for the murder of a Catholic named Macvournagh; three respectable uncontradicted witnesses deposed that they saw the prisoner load, take aim, fire at, and kill the said Macvournagh. This was properly commented on by the judge; but to the astonishment of the bar, and indignation of the court, the Protestant jury acquitted the accused. So glaring was the partiality, that Mr. Justice Osborne felt it his duty to bind over the acquitted, but not absolved assassin in large recognizances; thus for a time taking away his licence to kill Catholics.

Are the very laws passed in their favour observed? They are rendered nugatory in trivial as in serious cases. By a late act, Catholic chaplains are permitted in jails, but in Fermanagh county the grand jury lately persisted in presenting a suspended clergyman for the office, thereby evading the statute, notwithstanding the most pressing remonstrances of a most respectable magistrate named Fletcher to the contrary. Such is law, such is justice, for the happy, free, contented Catholic!

It has been asked in another place, why do not the rich Catholics endow foundations for the education of the priesthood? Why do you not permit them to do so? Why are all such bequests subject to the interference, the vexatious, arbitrary, peculating interference of the Orange commissioners for charitable donations?

As to Maynooth college, in no instance except at the time of its foundation, when a noble lord, (Camden) at the head of the Irish administration, did appear to interest himself in its advancement; and during the government of a noble duke, (Bedford) who, like his ancestors, has ever been the friend of freedom and mankind, and who has not so far adopted the selfish policy of the day as to exclude the Catholics from the number of his fellow-creatures; with these exceptions, in no instance has that institution been properly encouraged. There was indeed a time when the Catholic clergy were conciliated, while the Union was pending, that Union which could not be carried without them, while their assistance was requisite in procuring addresses from the Catholic counties; then

they were cajoled and caressed, feared and flattered, and given to understand that "the Union would do every thing;" but the moment it was passed, they were driven back with contempt into their former obscurity.

In the conduct pursued towards Maynooth college, every thing is done to irritate and perplex—every thing is done to efface the slightest impression of gratitude from the Catholic mind; the very hay made upon the lawn, the fat and tallow of the beef and mutton allowed must be paid for and accounted upon oath. It is true, this economy in miniature cannot sufficiently be commended, particularly at a time when only the insect defaulters of the Treasury, your Hunts and your Chinners, when only those "gilded bugs" can escape the microscopic eye of ministers. But when you come forward session after session, as your paltry pittance is wrung from you with wrangling and reluctance, to boast of your liberality, well might the Catholic exclaim in the words of Prior—

"To John I owe some obligation,

"But John unluckily thinks fit

"To publish it to all the nation,

"So John and I are more than quit."

Some persons have compared the Catholics to the beggar in *Gil Blas*: Who made them beggars? Who are enriched with the spoils of their ancestors? And cannot you relieve the beggar when your fathers have made him such? If you are disposed to relieve him at all, cannot you do it without flinging your farthings in his face?—As a contrast, however, to this beggarly benevolence, let us look at the Protestant Charter Schools; to them you have lately granted 41,000*l.*: thus are they supported, and how are they recruited? Montesquieu observes on the English constitution, that the model may be found in Tacitus, where the historian describes the policy of the Germans, and adds—"this beautiful system was taken from the woods;" so in speaking of the charter schools it may be observed, that this beautiful system was taken from the gypsies. These schools are recruited in the same manner as the janissaries at the time of their enrolment under Amurath, and the gypsies of the present day with stolen children, with children decoyed and kidnapped from their Catholic connections by their rich and powerful Protestant neighbours: this is notorious, and one instance may suffice to shew in what man-

ner.—The sister of a Mr. Carthy, (a Catholic gentleman of very considerable property,) died, leaving two girls, who were immediately marked out as proselytes, and conveyed to the charter school of Coolgreny; their uncle, on being apprized of the fact, which took place during his absence, applied for the restitution of his nieces, offering to settle an independence on these his relations; his request was refused, and not till after five years struggle, and the interference of very high authority, could this Catholic gentleman obtain back his nearest of kindred from a charity charter school. In this manner are proselytes obtained, and mingled with the offspring of such Protestants as may avail themselves of the institution. And how are they taught? A catechism is put into their hands, consisting of, I believe, 45 pages, in which are three questions relative to the Protestant religion; one of these queries is, "where was the Protestant religion before Luther?" Answer, "in the Gospel." The remaining forty-four pages and a half, regard the damnable idolatry of Papists!

Allow me to ask our spiritual pastors and masters, is this training up a child in the way which he should go?—is this the religion of the Gospel before the time of Luther? that religion which preaches "Peace on earth and glory to God?" Is it bringing up infants to be men or devils? Better would it be to send them any where than teach them such doctrines; better send them to those islands in the South Seas, where they might more humanely learn to become cannibals; it would be less disgusting that they were brought up to devour the dead, than persecute the living. Schools do you call them? call them rather dunghills, where the viper of intolerance deposits her young, that when their teeth are cut and their poison is mature, they may issue forth, filthy and venomous, to sting the Catholic. But are these the doctrines of the Church of England, or of Churchmen? No, the most enlightened Churchmen are of a different opinion. What says Paley? "I perceive no reason why men of different religious persuasions should not sit upon the same bench, deliberate in the same council, or fight in the same ranks, as well as men of various religious opinions, upon any controverted topic of natural history, philosophy, or ethics!" It may be answered, that Paley was not strictly orthodox; I know nothing of his orthodoxy, but who will deny that he was

an ornament to the Church, to human nature, to Christianity?

I shall not dwell upon the grievance of tythes, so severely felt by the peasantry, but it may be proper to observe, that there is an addition to the burthen, a percentage to the gatherer, whose interest it thus becomes to rate them as highly as possible, and we know that in many large livings in Ireland, the only resident Protestants are the tythe proctor and his family.

Amongst many causes of irritation, too numerous for recapitulation, there is one in the militia not to be passed over, I mean the existence of Orange lodges amongst the privates; can the officers deny this? and if such lodges do exist, do they, can they tend to promote harmony amongst the men, who are thus individually separated in society, although mingled in the ranks? And is this general system of persecution to be permitted, or is it to be believed that with such a system the Catholics can or ought to be contented? If they are, they belie human nature; they are then, indeed, unworthy to be any thing but the slaves you have made them. The facts stated are from most respectable authority, or I should not have dared in this place, or any place, to hazard this avowal. If exaggerated, there are plenty as willing, as I believe them to be unable, to disprove them. Should it be objected that I never was in Ireland, I beg leave to observe, that it is as easy to know something of Ireland without having been there, as it appears with some to have been born, bred, and cherished there, and yet remain ignorant of its best interests.

But there are, who assert that the Catholics have already been too much indulged; see (cry they) what has been done, we have given them one entire college, we allow them food and raiment, the full enjoyment of the elements, and leave to fight for us as long as they have limbs and lives to offer, and yet they are never to be satisfied! Generous and just declaimers! to this, and to this only, amount the whole of your arguments, when stripped of their sophistry. Those personages remind me of a story of a certain drummer, who being called upon in the course of duty to administer punishment to a friend tied to the halberts, was requested to flog high, he did—to flog low, he did—to flog in the middle, he did—high, low, down the middle, and up again, but all in vain, the patient continued his

complaints with the most provoking pertinacity, until the drummer, exhausted and angry, flung down his scourge, exclaiming, "the devil burn you, there's no pleasing you, flog where one will!" Thus it is, you have flogged the Catholic high, low, here, there, and every where, and then you wonder he is not pleased. It is true, that time, experience, and that weariness which attends even the exercise of barbarity, have taught you to flog a little more gently, but still you continue to lay on the lash, and will so continue, till perhaps the rod may be wrested from your hands and applied to the backs of yourselves and your posterity.

It was said by somebody in a former debate, (I forget by whom, and am not very anxious to remember) if the Catholics are emancipated, why not the Jews? If this sentiment was dictated by compassion for the Jews, it might deserve attention, but as a sneer against the Catholic, what is it but the language of Shylock transferred from his daughter's marriage to Catholic emancipation—

"Would any of the tribe of Barrabbas
Should have it rather than a Christian."

I presume a Catholic is a Christian, even in the opinion of him whose taste only can be called in question for his preference of the Jews.

It is a remark often quoted of Dr. Johnson, (whom I take to be almost as good authority as the gentle apostle of intolerance, Dr. Duigenan) that he who could entertain serious apprehensions of danger to the Church in these times, would have "cried fire in the deluge." This is more than a metaphor, for a remnant of these antedeluvians appear actually to have come down to us, with fire in their mouths and water in their brains, to disturb and perplex mankind with their whimsical outcries. And as it is an infallible symptom of that distressing malady with which I conceive them to be afflicted, (so any doctor will inform your lordships) for the unhappy invalids to perceive a flame perpetually flashing before their eyes, particularly when their eyes are shut, (as those of the persons to whom I allude, have long been) it is impossible to convince these poor creatures, that the fire against which they are perpetually warning us and themselves, is nothing but an *Ignis fatuus* of their own drivelling imaginations. "What rhubarb, senna, or what purgative drug can scour that fancy thence?"—it is impossible, they are given over, theirs is

the true

"*Caput insanabile tribus Anticyris.*"

These are your true Protestants. Like Bayle, who protested against all sects whatsoever, so do they protest against Catholic Petitions, Protestant Petitions, all redress, all that reason, humanity, policy, justice, and common-sense, can urge against the delusions of their absurd delirium. These are the persons who reverse the fable of the mountain that brought forth a mouse, they are the mice who conceive themselves in labour with mountains.

To return to the Catholics. Suppose the Irish were actually contented under their disabilities, suppose them capable of such a bull as not to desire deliverance, ought we not to wish it for ourselves? Have we nothing to gain by their emancipation? What resources have been wasted? what talents have been lost by the selfish system of exclusion? You already know the value of Irish aid; at this moment the defence of England is entrusted to the Irish militia; at this moment, while the starving people are rising in the fierceness of despair, the Irish are faithful to their trust. But till equal energy is imparted throughout by the extension of freedom, you cannot enjoy the full benefit of the strength which you are glad to interpose between you and destruction. Ireland has done much, but will do more. At this moment, the only triumph obtained through long years of continental disaster has been achieved by an Irish general; it is true he is not a Catholic, had he been so, we should have been deprived of his exertions, but I presume no one will assert that his religion would have impaired his talents or diminished his patriotism, though in that case he must have conquered in the ranks, for he never could have commanded an army.

But he is fighting the battles of the Catholics abroad, his noble brother has this night advocated their cause, with an eloquence which I shall not depreciate by the humble tribute of my panegyric, whilst a third of his kindred, as unlike as unequal, has been combating against his Catholic brethren in Dublin, with circular letters, edicts, proclamations, arrests and dispersions—all the vexatious implements of petty warfare that could be wielded by the mercenary guerillas of government, clad in the rusty armour of their obsolete statutes. Your lordships will, doubtless, divide new honours between the Saviour of Portugal, and the Disperser of Delegates.

It is singular, indeed, to observe the difference between our foreign and domestic policy; if Catholic Spain, faithful Portugal, or the no less Catholic and faithful king of the one Sicily (of which, by the bye, you have lately deprived him) stand in need of succour, away goes a fleet and an army, an ambassador and a subsidy, sometimes to fight pretty hardly, generally to negotiate very badly, and always to pay very dearly for our Popish allies. But let four millions of fellow subjects pray for relief, who fight and pay and labour in your behalf, they must be treated as aliens, and although their "father's house has many mansions" there is no resting place for them. Allow me to ask, are you not fighting for the emancipation of Ferdinand 7, who certainly is a fool, and consequently, in all probability, a bigot; and have you more regard for a foreign sovereign than your own fellow subjects, who are not fools, for they know your interest better than you know your own; who are not bigots, for they return you good for evil, but who are in worse durance than the prison of an usurper, inasmuch as the fetters of the mind are more galling than those of the body.

Upon the consequences of your not acceding to the claims of the Petitioners, I shall not expatiate, you know them, you will feel them, and your children's children when you are passed away. Adieu to that Union so called as "*Lucus a non lucendo*," an Union from never uniting, which in its first operation gave a death-blow to the independence of Ireland, and in its last may be the cause of her eternal separation from this country. If it must be called an Union, it is the union of the shark with his prey, the spoiler swallows up his victim, and thus they become one and indivisible. Thus has Great Britain swallowed up the parliament, the constitution, the independence of Ireland, and refuses to disgorge even a single privilege, although for the relief of her swollen and distempered body politic.

And now, my lords, before I sit down, will his Majesty's ministers permit me to say a few words, not on their merits, for that would be superfluous, but on the degree of estimation in which they are held by the people of these realms. The esteem in which they are held has been boasted of in a triumphant tone on a late occasion within these walls, and a comparison instituted between their conduct, and that of noble lords on this side of the House.

What portion of popularity may have fallen to the share of my noble friends (if such I may presume to call them) I shall not pretend to ascertain; but that of his Majesty's ministers it were vain to deny. It is, to be sure, a little like the wind, "no one knows whence it cometh or whither it goeth," but they feel it, they enjoy it, they boast of it. Indeed, modest and unostentatious as they are, to what part of the kingdom, even the most remote, can they flee to avoid the triumph which pursues them. If they plunge into the midland counties, there will they be greeted by the manufacturers, with spurned petitions in their hands, and those halsters round their necks recently voted in their behalf, imploring blessings on the heads of those who so simply, yet ingeniously, contrived to remove them from their miseries in this to a better world. If they journey on to Scotland, from Glasgow to Johnny Groat's, every where will they receive similar marks of approbation? If they take a trip from Portpatrick to Donaghadee, there will they rush at once into the embraces of four Catholic millions, to whom their vote of this night is about to endear them for ever. When they return to the metropolis, if they can pass under Temple Bar without unpleasant sensations at the sight of the greedy niches over that ominous gateway, they cannot escape the acclamations of the livery, and the more tremulous, but not less sincere, applause, the blessings "not loud but deep" of bankrupt merchants and doubting stock-holders. If they look to the army, what wreaths, not of laurel, but of night-shade, are preparing for the heroes of Walcheren. It is true there are few living deponents left to testify to their merits on that occasion; but a 'cloud of witnesses' are gone above from that gallant army which they so generously and piously dispatched, to recruit the "noble army of martyrs."

What if in the course of this triumphal career, (in which they will gather as many pebbles as Caligula's army did on a similar triumph, the prototype of their own) they do not perceive any of those memorials which a grateful people erect in honour of their benefactors; what although not even a sign-post will condescend to depose the Saracen's head in favour of the likeness of the conquerors of Walcheren, they will not want a picture who can always have a caricature; or regret the omission of a statue who will so often see themselves

exalted in effigy. But their popularity is not limited to the narrow bounds of an island; there are other countries where their measures, and above all, their conduct to the Catholics must render them pre-eminently popular. If they are beloved here, in France they must be adored. There is no measure more repugnant to the designs and feelings of Buonaparte than Catholic Emancipation; no line of conduct more propitious to his projects than that which has been pursued, is pursuing, and, I fear, will be pursued, towards Ireland. What is England without Ireland, and what is Ireland without the Catholics? It is on the basis of your tyranny Napoleon hopes to build his own. So grateful must oppression of the Catholics be to his mind, that doubtless (as he has lately permitted some renewal of intercourse) the next cartel will convey to this country cargoes of *seve-china*, and blue ribbands (things in great request, and of equal value at this moment) blue ribbands of the Legion of Honour for Dr. Duigenan and his ministerial disciples. Such is that well-earned popularity, the result of those extraordinary expeditions, so expensive to ourselves and so useless to our allies; of those singular enquiries, so exculpatory to the accused and so dissatisfactory to the people; of those paradoxical victories, so honourable, as we are told, to the British name, and so destructive to the best interests of the British nation: above all, such is the reward of the conduct pursued by ministers towards the Catholics.

I have to apologise to the House, who will, I trust, pardon one, not often in the habit of intruding upon their indulgence, for so long attempting to engage their attention. My most decided opinion is, as my vote will be, in favour of the motion.

The Earl of *Moir*.—My lords; all the considerations which recommend your concurrence with the prayer of this Petition, have been urged with such force and eloquence by the noble lord near me (marquis Wellesley) and remain so completely unanswered, that I should feel myself without excuse if I now trespassed on your time with any detailed exposition of the subject. I could only repeat in less impressive language the same arguments. Still, some objections have been advanced on the other side which I should not be satisfied with leaving unnoticed. When the noble secretary (the earl of Liverpool) rose, my curiosity was strongly excited as

to what kind of answer he would endeavour to apply to a statement so clear, and so apparently irrefragable, that any impeachment of it seemed almost impossible. I need not say how much I was disappointed. The noble earl resorted to the policy, perhaps it was his wisest procedure, of not encountering the arguments at all. Passing aloof from all the powerful pleas which constitute the essence of the question, he has seized one minor point; he has distorted it by an arbitrary construction; and he has thence run into a deduction which is necessarily tainted with all the fallacy of the original incorrect assumptions. He has said that the Roman Catholics desire to be admitted to qualification without taking the oath of supremacy, because that supremacy refers to matters spiritual; whereas the relieving the Catholics from the necessity of that engagement, would in truth, involve in that emancipation from pledge, matters purely temporal. If that difficulty can exist, with whom is the fault? The Catholics have, over and over again, pointed out the discrimination which strikes them as definable between the spiritual and the temporal points to which the term supremacy may be supposed to apply. They have professed their readiness to come under any obligation as to the temporal concerns. If the distinction be not made with sufficient accuracy, let the noble lord offer a suggestion of his own, that it may be taken fairly into consideration. In the mean time it is enough to say, that in repelling the sense which the noble earl would put upon the objection of the Catholics to the oath of supremacy, one entirely does away the conclusion (even supposing it to have a logical connection with the premises) that any person who votes for the present question must have made up his mind to vote also the dissolution of the existing Church establishment in Ireland. Such a deduction is not merely incomprehensible. It is most unjust, as having a reference towards the Catholics, because it indirectly imputes to them ulterior views of that sort, when they have in the clearest language, and with the strongest asseverations, rested their application to you upon the specific condition of their respecting that very establishment.

Let me repeat, my lords, that this is a question which presents itself upon very different ground from any prayer for toleration. A great body of your fellow

subjects, debarred of a just participation in those advantages of the community which equally with yourselves, they maintain by their personal efforts and the contribution of their wealth, ought to be held intitled to know why a distinction so injurious to them should exist. It is as free-born men that they approach you with their solicitations; and it is not by reference to what may have been the tenets of persons attached to the Church of Rome in other times and other countries, that you can decide upon this claim. The plea of British citizens must be judged (if it be equitably judged) by the validity of their pledges of attachment to the state. The noble and learned lord has declared his conscientious conviction, that persons honestly professing adherence to the Romish Church can never be cordial supporters of a Protestant government; nay he has gone further, and asserts that their religious principles must necessarily bind them to labour at the subversion of any such government. I am sincerely satisfied that the noble and learned lord would not have expressed that sentiment but upon conscientious conviction. I only venture to question whether the noble and learned lord has sufficiently examined the ground on which he has adopted that persuasion. All the lamentable instances of communities ruined by senseless differences within themselves, have exhibited conscientious conviction as the motive of the majority of the actors. There is not one of the many examples which have most excited our disgust at the absurdity of mankind, or our indignation at the incorrigible virulence of individuals in the support of party objects, which has not in its turn been vindicated as arising out of conscientious conviction. Time and reason have spurned the excuse. Might it not then be a wholesome doubt in the breast of the noble and learned lord if he admitted the possibility, the bare possibility, that his conscientious conviction might be as erroneous as that of any one of the persons whose conduct he had viewed with the deepest censure in the annals of other periods. Let not the noble and learned lord seek to justify his opinion by quoting barbarous outrages in barbarous days. Religion is a ready drapery for cloaking all the malignant passions of corrupted minds. No other veil has therefore been so frequently abused; and I fear that an impartial examination of history would not allow us to pronounce the Protestant

Church free from the shame of having on some occasions perverted the beneficent precepts of the Gospel to purposes of party and oppression. But such immoral laxity was never the profession of any set of men. It ought not lightly to be imputed to any creed; much less to that of the Catholics of the present day, who have been loud in reprobating such atrocities.

A noble and learned lord has descanted on the censurable want of equity shewn by the Roman Catholics, when they demand of you every thing, and refuse to you on the other hand the first security which had been desired from them. In illustration of the temper thus ascribed to them, the noble lord has instanced what is called the Veto; the check proposed to be lodged in the crown upon the nomination to Catholic bishoprics. The objections made to that arrangement appear to me quite wide of the present discussion. It is an erroneous view of the question now before you to regard it as referring to this or that communion. But even were the noble and learned lord right in mingling an advertence to religious tenets with the question, what advantage could his argument draw from the point which he has started? What title have you to interfere with the appointment of the Catholic bishops any more than with that of the Scotch episcopalians, who proceed upon the same pretension of apostolical devolution in their chain of consecration? As long as these appointments are unacknowledged by the state, government can have nothing to do with them. Were the Catholic clergy to request stipendiary provision from you, or were you to invite them to such an arrangement, you would be entitled to propose the conditions. But without such a ground you have no colour, nay no justification, for interference with the Catholic priesthood.

An allusion was made by the noble lord who brought forward this motion, of a sort most difficult to be noticed in reply without a breach of respect and delicacy. It is impossible for me to pass it altogether by. The anguish which I felt from it, and the deep sense I have of calamities that might arise from any misconception on that point, impel me to give it some advertence, though that advertence must be somewhat indistinct if I keep within any bounds of order. The disappointment of cherished hopes, and the blight of encouraged reliance, have been forcibly and eloquently depicted to you. The natural

effect of such a portraiture would be a dissuasion from future confidence in the same quarter. Against this most fatal and most erroneous conclusion I wish to plead: and if my humble voice can be heard, I implore this country and Ireland to repel so injurious, so ruinous a supposition. There must be many circumstances on which it would be the greatest presumption for any of us to judge, without the knowledge requisite for forming a complete estimate. In such cases, general principles are entitled to demand a candid and liberal trust. If any expectations beneficial to the public have not been realized, I will boldly assert, it must have happened from some perplexities which have thwarted the most upright and benevolent intentions. I ground my assertion on my intimate knowledge of that heart. I aver that more genuine reverence for the constitution, a more exalted veneration for the principles of civil and religious freedom, or a more unceasing solicitude to promote the welfare and happiness of every description of British subjects, than what reign in the breast of that high personage, never did rule the mind of any man. You know I cannot be deceived in this: you know I dare not deceive you. Excuse me, my lords, if I have transgressed in stating this. It is the consideration of the influence such an explanation may have upon public concerns that has alone induced me to trench upon the subject. I feel how nearly I have been bordering on irregularity, and I quit the topic.

I then return to the argument of the noble and learned lord. He desires you to observe that there is no limit to the claims of the Catholics. Why should there be any? Not conscious of any inferiority in their devotion to the interests of the state, and knowing themselves free from any insidious purposes against other descriptions of their fellow subjects, they cannot suppose any deficiency in their title to the amplest enjoyment of British immunities. Should any one assert that such an unrestricted admission would affect the security of existing establishments, it is for him to make out his proposition. The burthen of shewing the danger must equitably rest upon him. Let him state his case, connecting his indication of the peril, with some fact or probability capable of being seized and fairly discussed. Loose and general imputations drawn from the extravagant supposition that the Irish Catholics of the present day are just

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what Catholics were a century and a half ago, can never be the ground of any profitable deliberation. As little can you rationally argue to the principles of the Catholic body from doctrines which any absurd and unauthorised advocate may have happened to publish. Take the distinct unambiguous declaration made by the leading men of that communion in Ireland, as speaking for the whole body, and supported by the subsequent concurrence of that body. Refer to that, and see if it leave room for the impeachment which the Catholics are desired, by a limitation of their claims, to put upon their loyalty to their sovereign and their fidelity to their fellow subjects. Do not tax their ingenuity to devise against themselves flaws foreign to their natures. It is enough if you undertake that office: their minds are not cast in a mould that fits them for comprehending such suspicions.

"I would grant them every indulgence" says the noble and learned lord (a sentiment re-echoed by a noble earl) "that did not invest them with political power." I should like much to hear political power defined. At present I take it to be just as loose an expression as Catholic Emancipation on the other side, expressing nothing but a sort of confused imagination that there may be inconvenience in admitting the Catholics to all the rights of citizenship. Is it meant that in parliament, or in the active offices of the state, the Catholics would obtain a preponderance formidable for the Protestant establishment. No, we may assert that not an individual could be found so visionary as to avow that notion. Then the apprehensions must be some floating conception that advancement to higher stations than they can now hold would give to the leading members of that communion an influence over the body of Catholics in Ireland which they do not now possess.

Consult your own knowledge of human nature, my lords, and determine upon the quality of this apprehension. What! the giving to the Catholic of rank an interest unconnected with the objects of the majority of persons of his communion—the withdrawing him from confraternity with them in privations and neglect, is to furnish him with a more powerful title to their confidence and sympathy! The supposition needs only to be stated to be repelled by the judgment of every man. Is it not clear that the Catholic of birth, or of property, if he be commixed with the

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active pursuits of high life, must have less leisure and less excitement than at present to address himself to the passions of his sect. Then, admitting that, contrary to all probability, no jealousy should arise in their minds respecting an individual whom they see identified by office or profession with that Protestant government represented as the mark for their unremitting hostility, are his practices likely to make most impression upon minds soured with insult, or upon minds soothed by obliteration of invidious distinctions? Can the artifices of a demagogue in elevated employment be more commodiously exerted upon a multitude blended with the rest of their fellow citizens, than when a state of segregation gives them a character of individuality? It is quite wonderful that you do not perceive it to be your own erroneous policy, in discriminating the Catholics as a body, which renders them as a body formidable either in power or disposition to your present establishments. This, I allow, will not fully meet the notions of the noble and learned lord. It matters not in his contemplation, what are the feelings, or the wishes, or the occupation, of the Catholics. The Pope may at any time intervene; his instructions must be obeyed by the clergy; and the instigations of the priests will instantly pervert the multitude. I repeat that all this may equally happen in the present state of things; and that the interference would be attended with augmented danger from being applied to minds fermenting with irritation and disgust. But let us leave these speculations, and resort to something which ought to be more decisive on the question.

You have here on your table a Petition in favour of the claims of the Catholics, from most of the principal Protestant possessors of landed or other property in Ireland: from men whose conduct through life is sufficient pledge that in this step they are following no hasty suggestion, and whose connections are irrefragable proof of their attachment to existing establishments in Church and State. What is the inference you ought to draw from such a document? That men so circumstanced, and who must be the immediate sufferers, if the measure to which they solicit you be a wrong one, cannot but be convinced that the tranquillity of Ireland, and the consequent security of the British empire, requires the uniting the Catholics with their Protestant brethren in one common bond of

amity, which can only result from purity of interest. Are these Protestant proprietors deceived? Their eyes have been upon these Catholics for years past. They speak to you from experience and long continued observation of their own neighbours. And will you oppose to that the gratuitous assumptions of the noble and learned lord? Here I must observe upon a very mischievous mistake which appears to pervade the reasoning of all those I have heard argue against granting the prayer of the Catholics. They seem to think that you have only to reject this Petition, and that the matter will then be at rest. At worst, in their conception, you will only have to be teased with a similar application next year. My lords, you are not in a situation in which you can afford to benumb the zeal and palsy the exertions of so large a proportion of the population of this empire. All the energies that your best policy can call forth will not be more than you will find necessary in the sequel of our difficulties. I speak now as if your rejection of the Petition was only to damp the ardour of the Catholics as to your cause. That would be the sole effect with the considerate among them, but the considerate are few in any mass of people. Your wisdom ought to calculate the probable operation of a disappointment, now attended with peculiarities which might seem to bar all future hope from appeals to your justice and your liberality. Recollect that a vigilant and insidious enemy must have been busily watching the course of these dissatisfactions; and assure yourselves that he has emissaries who will not neglect the moment, if they see the discontents ripe enough to be fomented to extremes. What a juncture it must be for them should you, with an expectation no less preposterous than your decision would be injudicious, desire the Catholics to retire from your bar, and sit down quiet under not only wrong but contumely. I say contumely, because it has unhappily been stated in this debate, that the pledge which the Catholics advance upon their solemn oaths, that they will never employ towards the subversion of your existing establishments any power or advantages which they may derive from your bounty, is a security not to be relied upon. What! to tell them that the most awful appeal they can make to their Creator is not to be trusted! Can you express to them such an opinion of their principles, and flatter yourselves it is not to move their in-

dignation? But it is not the estrangement of the Irish Catholic alone that you have to dread. This Petition of the Protestants makes it the prayer of all Ireland; for the dissentient voices in the question are too few and insignificant to be regarded as forming an exception. And is this a discontent that can be safely allowed to fester? Think you the Protestant proprietors will make no reflection on the indifference you shew to their safety, or on the insult of your pretending to judge better for their interests than they themselves on the spot are able to do? I have said that you cannot forego the exertions of any part of your population. You cannot, without sinking in the contest, incur merely the inertness of Ireland. What, then, must be its avowed discontent! My mind shrinks from the consequence. You have been moved to reject the proposal for going into a committee. Were you even predetermined in essence to spurn the Petition, at least you ought to observe the forms of decency. You should put on some shew of attention. In a case so vital to the public interest, it is due to this country no less than to Ireland, that an air of respect should be maintained; that the semblance of consideration should be adopted. Should you, unfortunately, follow the advice of refusing to go into a committee for the discussion of this subject, you testify that you reject the Petition upon grounds and in a temper that set at defiance the impression which so harsh a procedure is calculated to produce. I do, therefore, most anxiously deprecate a resolution so impolitic in itself, so unbecoming the dignity of this House, so ill-sorted to the importance which the petitioners bear in the scale of the British empire.

None of the lords on the side of government attempting to rise, after some pause, the Question was called for, upon which

Lord Grenville rose and said:—My lords; I am not surprized at the silence of our opponents. It requires no excuse. Its cause is sufficiently obvious. The eloquence with which this motion has been introduced and supported must have produced upon them, as upon all its hearers, a powerful and indelible impression. We may easily conceive how painful it must now be to any man to avow himself the adversary of these Petitions.

Much rather ought I to apologise to your lordships for rising at this hour to

maintain opinions already so triumphantly established. But you will pardon me if in this great crisis of the question now before us, I feel it impossible to be wholly silent. The cause of your petitioners is too near my heart. It would grieve me to appear indifferent to its success. It has occupied too large a portion of my thoughts, has formed too principal a feature in my public life; and is at this hour too deeply interesting to the justice, the honour, and the independence of my country, not to call for every exertion which I can make in its behalf. I can add nothing to the powerful support it has this night received; but I shall at least have the satisfaction of once more declaring my unshaken adherence to those opinions which I have invariably maintained.

I have seen, indeed, with no less surprise than regret, the persevering opposition which these Petitions still experience, under circumstances which led to better hopes. I ask myself, when the transactions of this eventful period shall be reviewed by our descendants, what will be their judgment of our present conduct? With what astonishment, what indignation and contempt will they not consider the deliberation of this night? They will have learnt with what a cloud of dangers we are now surrounded. Time and history will have unveiled to them all that we now feel, and all that we fear; all that our government is concealing from us, and all that we are labouring to disguise from ourselves. They will then ask, what was, in such a moment, the employment of the British parliament? Did we then, if not before, apply ourselves to unite in combined and vigorous resistance, all who participate in the common danger? Did we in such an hour determine, however late, to reward loyalty by confidence, and conciliate attachment by justice? Did we at last resolve to consolidate all the interests of our empire, and to blend all its subjects into one undistinguished community, enjoying equal rights, governed by equal laws, and animated by the sense of equal benefits to the defence of their common country? None of all these. We are deliberating, not whether we shall grant, but whether we shall consider these Petitions. We are debating, not on the provisions which should accompany, or the measures which should follow this act of tardy justice, but whether tried loyalty, unshaken patriotism and long forbearance have even yet entitled our fellow subjects

to have their case considered by the legislature of their country.

Our table is covered, our floor encumbered with these Petitions. They proceed from little less than one quarter of your whole people; they express the sense of the great majority both of the population and the property of Ireland; and they are backed by those very persons for whose safety, it is said these disabilities affecting four millions of their fellow-subjects, are established and maintained. The Protestants of Ireland pray you to break down the barriers with which you have surrounded them. They have found in your safeguards, a source not of protection, but of danger; not of strength, but of increased debility. They solicit, therefore, that you will suffer them to renounce their exclusive advantages, to restore to their country the blessings of equal laws, and to share with every class of its inhabitants, all the rights and all the duties of freemen.

These are the petitioners whose request you refuse to consider; whose prayers are judged unworthy even to be referred to a committee of this House. Yet we sit here as the legislators of an united empire, not administering the interests of England only, but charged alike with the especial duty of consulting the wants and wishes of another kingdom. Her independent parliament was yielded up to a belief in our integrity; and wisely was it yielded up, had but the justice of Great Britain equalled the confidence of Ireland. The whole people of that kingdom are now before you, lamenting with one voice the mischiefs of a long cherished intolerance, and beseeching you for their sakes and for your own, to restore peace and union to their distracted country. The Catholic enumerating his unmerited sufferings: the Protestant disclaiming his pernicious privileges; the loyalist of every class entreating you to remember that laws of disqualification and disfranchisement are justified only by uncontrollable necessity. That the evils which these provisions were intended to avert, have long since passed away, while those which they produce and aggravate, are immediate and urgent, affecting daily all the dearest interests of Ireland, and endangering the existence of the empire. To these representations are now joined the Petitions of Englishmen, the exhortations of the best and wisest among yourselves, and the recollection of those councils of which the authors unhap-

pily are no longer present with us. Those men whose memory we cherish, those whose wisdom and virtues we have witnessed and lamented, they warn you, even from the tomb, to abolish the partial privileges, to do away these degrading exclusions. They tell you, in that glowing eloquence which still lives in our remembrance, that such distinctions are alike repugnant to the genius of your own constitution, and dangerous to the safety of every government; condemned by the first principles of justice; and proved by all experience to be the most fruitful source of those dissensions by which the greatest empires have finally been subverted.

I ask not what in this case will be your ultimate decision. It is easily anticipated. We know, and it has been amply shewn in former instances, the cases both of America and of Ireland, have but too well proved it, how precipitately necessity extorts what power has pertinaciously refused. We shall finally yield to these Petitions. No man doubts it. Let us not delay the concession, until it can neither be graced by spontaneous kindness, nor limited by deliberative wisdom.

To accelerate that moment, would be the greatest service which your ministers could render to their country. What, on the contrary, is now their answer to such a body of petitioners; so numerous, so respectable, so strong in justice, so powerful in reason? "We will not lend ourselves," they say, "to the consideration of your request. We will not enquire into the circumstances of your case. We will not examine whether the grievances which you feel are real, whether the dangers which we apprehend, can be obviated by legislative wisdom. Once again, the people of Ireland must retire from this bar, undressed, unheard, and unheeded."

Is it possible that such infatuation can still actuate our councils? In the moment of unimpaired prosperity, in the pride and madness of unresisted power, a more cold and contemptuous indifference was never shewn by any government to the complaints of the most inconsiderable of its subjects. But you! in this hour of calamity and peril, but you, whose whole hope of safety now rests upon the defence of Ireland; you, who if that country falls by your impolicy, must share her ruin, must perhaps partake in her subjection, will you now harden yourselves against the prayers of her whole population? Are

you in a situation to prolong the divisions of her people; to detach, perhaps irrecoverably to alienate her affections from Great Britain, and to aggravate by her destruction, all the calamities which are rapidly accumulating on yourselves?

If, on the contrary, the character of these Petitioners would at any time entitle them to your respect, and if your present circumstances be such that you can safely disregard no just representation from any part of your community, let me then ask what is the nature of this request which you refuse to entertain? What is this prayer which you tell us cannot even be considered without danger to the British monarchy? This it is, that as we profess to live under equal laws, we may conform the practice of our constitution to this its greatest boast, that those who share its burthens may partake in its advantages. That those whose loyalty you have recognized, and by whose service you daily profit, may receive its due reward in the removal of injurious and degrading disqualifications. They ask not the grant of power or emolument, but the capacity to receive them when earned by their ability, industry, and valour. They solicit no privilege, no preference over others, but that equality of rights, under which the meanest subject in this country knows that neither birth nor poverty disqualify him for the public service; they demand from you that encouragement to industry and virtue even in the lowest stations, which arises from the possibility of attaining to the highest. And this they claim not to gratify the honourable ambition of a few, but to secure the dearest interests of all; to diffuse amongst their whole community that confidence and security of private life, that daily protection of property and person, that inward sense of legal and inviolable independence which equal laws can alone afford to Irishmen, as equal laws have alone conferred the same blessings on the poorest classes of the inhabitants of Great Britain.

For your own sake, if not for theirs, they ask from you this act of justice. They intreat you to enable them, without the galling sense of inferiority, to risk their lives in your defence: they implore you to rescue yourselves from the basest of all imputations, that of receiving obligations which you possess the means but want the disposition to reward. They pray you to reflect on the situation of Europe, on the exigencies of the British empire, and on

the duties of all its subjects. Let us also, they exclaim, let us also be seen in this great crisis of the world, bearing our just part in those exertions on which our safety, no less than yours depends; sharing, not the dangers only, but also the glory of the contest; leading as well as following our fellow-subjects to the field of victory; partaking with them in the administration of our common interests, and deliberating by the same right as yourselves in the free assemblies of our common country.

These are the Petitions which your lordships are advised to cast from you, neglected and unheard. These, the just claims of freemen, but tendered to you in the spirit of loyalty, and the language of supplication; these, recommending themselves alike to your feelings and your interests, appealing irresistibly to your good faith, your justice, your wisdom, and your honour, yet never once admitted to be the subject of your deliberative consideration.

How shall we justify this conduct? What defence of it has been attempted by the Secretary of State, (the Earl of Liverpool) who almost alone, in this debate, has argued for its continuance? All that he has this night offered to you, has served only to furnish fresh inducements for referring these Petitions to a committee of the House, that they may there, at last, be temperately and deliberately considered.

For in what did his speech consist? He has enumerated all the various questions which such an inquiry would naturally embrace: questions, which if they were as difficult as he maintains, important, complicated, and at the same time essential to the decision of this cause, would prove only with increased conviction the necessity of its immediate and deliberate examination. He distinguishes, how accurately I need not ask, between direct and indirect exclusion; the one improper, the other fit to be maintained. To common understandings, the grounds and limits of this distinction are not extremely obvious. Could he establish it, the consequence to which it inevitably leads, is decisive against his own argument. Does he admit that direct exclusions are unjust? Examine then the case of these petitioners; try it by history; look into the statutes now existing, and see if it be possible to deny that the Catholics are shut out from your constitution by a direct and positive exclusion, applying to them alone, and attaching expressly on their religious creed,

Their disqualification falls within the very lines and limits of his own description. Its circumstances are precisely those which he himself considers as affording incontestible evidence of its injustice.

What he adds is yet more conclusive, for differences purely religious, he says, he would not impose on any men the hardship of disabling tests. To what then do these tests apply? The oath against transubstantiation for instance? To what but to an opinion, erroneous, as the noble earl and I believe, but so exclusively spiritual that no ingenuity can distort it into any thing but a matter of religious faith. Why then does not the noble earl himself propose the abolition of this oath? Why does he refuse to examine by his own principles, the other tests for which he argues? Can he maintain that they are governed by this distinction between religious and civil tenets? Are they confined to temporal concerns? Let him consider the oath of supremacy itself. The Catholics disclaim all difference between their allegiance and your own, as far as relates to the civil authority of the state. They profess to pay to their sovereign and his lawful government, the same temporal obedience with yourselves. The supremacy which they deny is that only which relates to questions of faith, to matters purely spiritual. A supremacy which the Church of Scotland no more acknowledges than that of Rome; recognized in our own Church, and as we believe rightfully inherent in our state; but no less stiffly denied at Edinburgh than at Maynooth.

Here then, the Catholics are at issue with the noble earl. Does he believe their assertion, that their difference from us in this point is confined to matters purely religious? He is bound, on his own principles, to repeal their civil disabilities. Does he discredit it? Let him examine and ascertain the fact.

But he is determined to resist conviction, and he therefore refuses to enquire. He contents himself with assuming the matter in dispute, and pertinaciously maintains that to believe in purgatory, and to pay civil obedience to the state, are things plainly inconsistent with each other. The noble earl asserts it, the Catholics deny it. How shall we decide between them? The old objections against the testimony of Catholics as to their own religious tenets, the noble earl has this night explicitly disclaimed; he rejects with indignation the obsolete and scandalous calumnies on

their moral character, the charges of equivocation and perjury, the imputed belief that faith is not to be kept with heretics, and the pretence that even the obligations of an oath may be dispensed with by ecclesiastical authority. I am glad that he has learnt at last to treat such slanders as they deserve. He knows in what quarters these wretched pleas for persecution were recently revived, by what means and what purposes they were re-echoed through this country. We shall henceforth, I hope, have his assistance in stigmatizing that base hypocrisy which labours to excite by falsehood, our fellow subjects against each other; and disguises under the sacred cover of religion, the foulest purposes of avarice or ambition.

It is therefore no longer pretended that the Catholics wilfully misrepresent their tenets. The noble earl admits that they believe it to be their opinion that all temporal obedience is exclusively due to the authority of the state. But he is better acquainted with what passes in their minds than they themselves. He is more deeply versed in the doctrines of their religion than those who profess, or those who teach it; and while he renders all justice to their sincerity, he condescends to instruct them, that when they think they mean a spiritual supremacy, they really mean a supremacy both spiritual and temporal.

Such are the refinements by which the noble earl justifies the exclusion of millions from the constitution of their country! Such are his arguments for continuing to subject a whole people to degradation and punishment! Such have always been the reasonings of every persecutor. It is the inveterate habit of intolerance to impute to the followers of every rival sect, opinions which they disclaim, and to deduce from their tenets conclusions which they utterly deny. Justice and charity on the contrary, give to others the same liberty which we claim for ourselves; the liberty to form our opinions by the light of our own reason, to adopt, to investigate, to interpret for ourselves the tenets which we embrace, and to be credited in our exposition of them until our own practice shall have proved its insincerity.

Your Roman Catholic countrymen are therefore well entitled to belief, when they assure you on their oaths, that they attribute to Popes or councils no temporal authority, that they acknowledge no supremacy in either, except in cases purely

spiritual. The noble earl himself admits it, but he objects that this discrimination between spiritual and temporal authority may in practice sometimes be difficult. Legislative provisions, he says, alone define its limits, direct its application, enforce its observance. Be it so. What stronger reasons, I ask you, could he have assigned for acceding to the proposed enquiry?

He puts the cases of excommunication and of marriage. Some dark and unexplained connection he supposes to exist between the right of every sect to exclude from its communion, those who depart from its religious institutions, and the legal authority of the magistrate to punish crimes by disabilities and penalties. Some strange and perilous conflict he foresees, between the religious sanctions of marriage, considered as a sacrament in the Roman Church, and its judicial consequences on the rights and duties of the subject, and on the security and descent of property. In both cases, I believe, his fears have long since been amply refuted by experience. But to discuss these questions here, would be to anticipate the very enquiry which we solicit, and which, for that purpose, as for so many others, the noble earl himself has proved it to be the duty of parliament to institute.

One remark only let me make on these points, and it equally applies to both. It is for those who apprehend danger from them, to shew the extent and nature of the evil, and to search out his remedy. For the danger, if it be real, exists at this hour, and cannot be augmented by a compliance with these Petitions. Four millions of your subjects are already Catholics; will these disabilities convert them? You do not hope it. In their case, as in every other, persecution has served only to counteract its own evil purposes. What security, then, has the noble earl found in these laws against the dangers which he fears from their repeal? As Catholics, your fellow subjects attribute to their own Church, the power to exclude them from her communion. As Catholics, they require for their marriages, those sanctions which their faith demands. I know not what the state has to apprehend in either case; but if there be cause of fear, how is it averted by excluding this great population from your civil constitution? Yet here again I call upon your lordships to examine and enquire. Try whether it be true that there appears in the practice of

the Catholics, or lurks in their intention, any desire to extend the interference of their Church one inch beyond the true limits of religious faith. Prove the purpose, open or covert, direct or indirect, to withdraw from the state any portion of its temporal supremacy, and no man shall be found more forward in resistance than myself. What I ask for my fellow-subjects is religious freedom, the liberty to serve God in the way in which they have been trained up, to worship him according to the dictates of their own conscience, to adhere to that form of Christianity which they profess, without incurring any legal penalty, or being stigmatised by any civil disability. I trust they have no wish to withdraw their allegiance from the state; I am sure they have no interest to weaken its authority. They solemnly disclaim the intention. And were they so far misled as to deviate in their practice from these their pledged opinions and principles of loyal and dutiful obedience, they would find in me not an advocate in this House, but an impartial legislator, ready to concur in every measure of necessary restraint upon them, not as Catholics but as subjects, not for their errors in religion, but for their offences against the state.

These are the grounds on which we recommend the deliberate examination of these Petitions. The King's ministers advise a more summary proceeding. To examine into the grievances of Ireland would be troublesome, to redress them might be embarrassing; the enquiry tedious, the remedy complicated. Their conclusion, therefore, is to leave the matter where it stands. The inconvenience affects not them. There are only four millions of our fellow-subjects who complain: and why should their Petitions be considered now, which have always hitherto been rejected without examination?

Two other arguments, indeed, the noble earl has urged, not so much for resisting enquiry, as for inducing you finally to refuse what these petitioners solicit. He tells you first, and he has learned it from high and grave authority, in a Petition this night presented to us, that the dangers of Popery were never so alarming as at present! The power of the Pope never so formidable! More to be dreaded now than at any antecedent period!

Shall I apply myself seriously to examine this assertion? Shall I remind your lordships of the history of your own country and of Europe? Whole nations

armed against each other, kings and emperors deposed, and crowns distributed by that authority? Shall I ask you, it might appear an insult to unmerited suffering, where the object of these fears is at this hour existing? In what corner of Europe, in what solitude, in what prison we are to look, for the possessor of this inordinate and overwhelming power, now so much augmented beyond all its former greatness?

Well may we judge from such vain imaginations what is the true character of the counsels which they inspire. Another spirit, a very different temper this great question demands. In the contemplation of reason, in the balance of justice, in the sobriety and wisdom of an enlightened legislature, what are all these passionate assertions, these visionary dangers, these exaggerated or simulated alarms? They are trifles light as air, in themselves contemptible, but unworthy even to be weighed in the scale against the happiness and freedom of a nation, the union and safety of an empire.

That the noble earl should adopt these idle declamations was indeed surprizing. It was scarcely to be expected that one of your ministers should, in such an hour as this, fear nothing from the increasing discontents of Ireland, fear every thing from the growing influence of the Pope? Does he identify that influence with the power of your enemy? He himself had but a few minutes before, commended the firmness of a persecuted man, whom terror had not yet succeeded in rendering subservient to injustice. But then, he tells us, if the present Pope should die, who knows what successor may follow? My lords, I know not, nor can any man predict. But if there be danger in that uncertainty, avail yourselves of the interval. Do you think the mischief will be obviated by waiting for it in listless inactivity? By deferring, till that very exigency shall arise, this long expected act of conciliation which might best provide against it? Never can you believe, that by irritating your people against their own government, that by teaching them to despair of justice from Great Britain, you will detach them from foreign influence. Treat them as brothers, not as aliens, and they will cling to the constitution which protects them. Persuade yourselves, it is the surest method of persuading them, that the duties of a good Catholic and a good subject are perfectly compatible. Respect

them, and they will respect themselves; secure to them under their own government, the full enjoyment of religious freedom, and you may then hope that they will reject with scorn, the claims of any Pontiff imposed upon their Church by the public enemy of their country.

But if you delay all healing measures, the wound may rankle till it becomes incurable. The danger which you fear is remote; that which you incur is imminent. This protracted intolerance weakens all our measures of defence; it paves the way for the long meditated enterprize of our enemy against that quarter of our empire, where all men know we are most vulnerable. Should he be successful there, he will not, even then, I hope, deprive us of the spirit to defend ourselves, but he will render that defence extremely problematical.

The noble earl then flies to his last resource, the hacknied plea of every oppressor, the stale apology for all injustice. If you yield to these Petitions, he says, will the Catholics engage to ask from you nothing more? Take your stand here; if you once give way, where will you find the limits of concession? I answer, you will find them wherever truth and justice have established them. If this request be fit to be conceded, concede it; if more can with equal justice be demanded, give it with equal alacrity: if the principle of the concession stops here, here also let your stand be taken.

I had hoped indeed, that by the lessons of the last twenty years this sorry argument had for ever been exploded. In that short period we have reaped the experience of centuries, but it has all been lost upon us, if we have not yet learnt to distinguish between the improvidence of extorted submission and the wisdom of timely conciliation.

The noble earl enquires from us the limits of the concession which we recommend: I ask him in return, where would the mischief of his principle be limited? He advises you to deny justice through the fear of farther importunity; to refuse a rightful claim lest it should encourage a groundless pretension. My lords, this is to sap the very foundations of all government. It is to violate the original compact of the British constitution. You have no right to require, none even to receive from the subjects of this realm, a promise to withhold their wishes or their interests from your consideration. Par-

liament must renounce its most important functions before it can thus stipulate with any class of the community. For what purposes are you invested with the powers of legislation? Is this a right to be exercised for your advantage, or a trust to be discharged for the benefit of your country? But to your lordships, all illustration of this principle is superfluous; I well know that if the Catholics of Ireland were now tendering at your bar the very pledge which the noble earl demands from them, you would reject it with indignation. No such compact, you would tell them, can be made either on our part or on theirs. It is our duty to exercise an unceasing attention to their prosperity; it is theirs to look to us alone for the removal of every successive grievance, which either in present or in future circumstances shall cramp their industry, or dispirit their exertions, shall obstruct the improvement, disturb the harmony, or prejudice the liberties of their country.

But the noble earl pursues this reasoning farther, and assigns a motive such as I think was never before alleged for the rejection of such Petitions. He not only apprehends a farther demand, but he anticipates its nature, and almost admits its justice. Dismiss this claim, he says; seek not to remedy this grievance; it occupies the attention of the Catholics. Relieved from this pressure, their complaints will next be directed to another question which "we may find it more difficult to argue with them." What a consideration to be offered to a just and wise legislature! what a picture has the noble earl exhibited of the principles on which our government is conducted! what an instructive lesson to the subjects both of this country and of Ireland! These tests, these disabilities, these penal disqualifications, are retained it now appears, not as being in themselves either just, or politic, or reasonable, but as the outworks of some other, and in the noble earl's judgment, some weaker cause. What then were all the alarms, disseminated throughout your country? The reiterated appeals to the blindest prejudices and the worst passions of the people? What were all the dreadful apprehensions this night so solemnly repeated? The fears of Popery, the dangers which threaten the Protestant establishment, the Hanover succession, the principles of the Revolution, the Toleration act itself; pretences, put forward only to cloak and veil the truth, artifices to distract the attention,

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disguises to cover something which is still behind, and which the noble earl even now seems afraid to name.

Need I characterize this wretched system? Its liberality, its wisdom, its honesty? To stave off the pressure of one difficulty, your ministers interpose another; to prolong one cause of discontent, they seek to perpetuate a thousand; to delay the dreaded statement of a grievance which they fear to meet, and know not how to remedy, they pertinaciously insist on the causeless degradation of a whole community. And now, in the close of all, comes the noble Secretary of State himself, unveils the hidden mysteries of this crooked policy, and thus provokes that very discussion which he is most anxious to avert.

Was any government ever yet administered upon such principles? Are these the councils upon which the existence of my country must depend? I wish not to disguise the difficulties of the subject to which the noble earl alludes. I know, and have repeatedly considered them; never once believing that by shutting my eyes against any public evil I could prevent its occurrence, or lessen its embarrassment. Instead of shrinking from those difficulties behind the cover of another question, your interest requires you to face them boldly, and to provide against them by mature and temperate deliberation unmingled with prejudice, uninfluenced by clamour. As much as foresight is preferable to blind security, as much as prudence and resolution are superior to negligence and fear, so much is the policy of full and early and deliberate enquiry into these important questions, to be preferred to the fine-spun artifices of your government, studious only to procrastinate the consideration of all our real dangers, and to fix the attention both of parliament and the country on apprehensions which are wholly visionary.

One glaring fallacy, indeed, pervades all their speeches. They love to dwell on these fancied mischiefs; they enlarge with redundant eloquence on the dangerous principles and pernicious designs of their fellow subjects. But they forget to tell us how these evils, were they real, can be controuled by the continuance of the present system, or increased by its abandonment. The contrary is manifest. Every circumstance of future peril which the noble earl anticipates from conciliatory measures, is at this moment existing in full vigour and unrestricted operation. Does

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he distrust the loyalty of the Catholics? That apprehension applies at least with equal force to their present situation. Even he cannot imagine that discontent will increase with increasing liberality, and that men will be more alienated from their government by a fuller admission to its protection and confidence. Does he dread their means of giving effect to any evil purpose? Those means are not diminished: Diminished, shall I say? They are multiplied beyond all power of calculation by the provisions of the existing laws. What you have already conceded to that great and valuable portion of your people is too little for the just claims of affectionate and faithful subjects, but it is far too much to have been entrusted to the blind instruments or willing adherents of your inveterate enemy. No terms can describe the folly, no language exaggerate the dangers of that perverse and inconsistent policy, which under the prevalence of such apprehensions, has equally deprived you of the power of coercion and the influence of kindness: abandoning all that in your former systems of exclusion could be useful for security, and retaining so much of them alone as may fetter the exertions of the loyal, and stimulate the passions of the multitude.

I am arguing these apprehensions as if they could possibly have any foundation in reason. Let me, however, once more protest that I can hardly bring myself, even for a moment, to admit such a supposition; and least of all, when I consider those particular instances of danger which have been this night alleged. The noble earl puts the case of a Catholic judge, and asks how such a magistrate is to determine causes connected with the validity of some marriage good in law, but null by the canons of his Church? What a perversion of all moral principle does the question itself imply! what is the oath of a judge? What is his office? What do your own courts of law, what do you yourselves declare when you pronounce on causes of this description? That the marriage is good in conscience? That it is agreeable to Scripture? That it is consonant to the doctrines of our own church? No, not one of these. But that it is valid in the contemplation of our laws; sanctioned by that code of civil jurisprudence which is the sole admissible authority in a court of civil judicature. Could then a judge be embarrassed by such a difficulty as this? A man of learning and moral

character fit for a judicial office, a man deeply impressed by his religion, as the noble earl admits, with the sanctity of an oath, could he be doubtful whether, when he has solemnly sworn to administer justice according to the law, he is not bound to administer it on some principle directly adverse to the law? Is this a point of dubious obligation, hard to be solved, and requiring the assistance of a casuist? Or is it even a question fit to be argued in an assembly of just and pious, grave and enlightened legislators?

A noble and learned lord (Redesdale) states his apprehensions on a different ground. He seems alarmed, not for your law, but for your Church. Repeat these tests, he says, and a Catholic may be a cabinet minister; may have a share in advising the nomination of a bishop! And then, how dreadful the consequences, if a person not of your own communion, participated officially in the appointment of the prelates of your Church!

My lords; if I have rightly read the history of my country, our pure and reformed episcopal establishment never experienced from the most bigoted Popery a more rancorous and inveterate hostility, than from the Presbyterian Church of Scotland. And yet it has happened to myself to sit ten years in the cabinet with one noble person, and for a period not much shorter with another; the one, secretary of state, (lord Melville) the other, lord chancellor of England (lord Loughborough); both natives of the country where that Church is established; both educated in its tenets; both, as far as I have ever heard, continuing in its communion to the latest hours of their lives.

The noble and learned lord must certainly suppose that the consciences of those respected persons were grievously offended by the rags of Popery, which were daily in their view. The Catholic of this day is judged by the worst examples, drawn from the darkest ages: to the present Church of Scotland, therefore, we must, in all consistency, attribute the persecuting fury of Knox and his disciples. How much, then, must it surprize you to be assured that no motion was ever made by either of these noble lords in cabinet for superseding the King's supremacy: none for suppressing our liturgy; none even for abolishing that greatest of all scandals to a Presbyterian eye, the name and office of our bishops. What is still more astonishing, and may possibly quiet

even the learned lord's alarms, both of them have exercised that very power which is now so grievously apprehended; both have officially concurred in the nomination of our prelates, of men at this hour, ornaments of our legislature and pillars of our Church. Among those right reverend persons who have this night so pathetically been entreated to protect our establishment against this formidable danger, one half, perhaps, would find the instruments of their own appointment, actually countersigned by the one, or sealed by the other of these distinguished members of a rival Church.

How has it happened, that this influence, so formidable in theory, has, in practice, been found so innocent? The reason is obvious. "The oppressor has ceased, and therefore the earth is at rest and is quiet." The spirit of persecution, the zeal for compulsory conversion, are extinguished, and with them have expired every sentiment of inveteracy, all desire and all temptation to reciprocal injustice. The obligations of civil allegiance and religious faith no longer contradict each other. Duties which reason and revelation have inseparably connected, and which are placed by bigotry alone in this unnatural and mutually destructive opposition.

The noble Secretary of State indeed appears to think, that in practice they are found incompatible. He tells us, that in no monarchy in Europe, except those governed by military despotism, have the Catholic and Protestant ever exercised in common the higher functions of magistracy and government. Were the fact unquestioned, what conclusion could it authorize? How few are the limited monarchies which have existed in Europe since the Reformation? But the assertion is as groundless as the argument is weak. Let him look to Hungary: there he may learn a lesson, pregnant with instruction to the bigots of every age, memorable to the rulers of every country, but invaluable in its application to our interests, could we but consent to profit by example. That country was once, like Ireland, the seat of discontent, cherished by intolerance and fermented by persecution. There, by the wisdom of a government, in that instance at least, how far more enlightened than our own, all religious incapacities have been finally repealed: Catholics and Protestants in that kingdom judge on the same bench, command in the same

armies, deliberate in the same free assemblies. From this blessed union, which, to the noble earl and to his colleagues, appears impossible, but of which better and more liberal councils perceived the facility, and anticipated the benefit, which consequence has practically ensued? The emperor of Austria owes to it the existence of his throne. Hungary, the weakness of his ancestors, is become the main strength and reliance of their descendant. There are now the chief sources of his power, there the foundations of his hope. To the loyalty and patriotism of a people thus united with each other, thus connected with their government, he now looks with confidence for support in the last trial of this dreadful contest, in that awful hour, whenever it shall arrive; for come infallibly it must, when the unanimity of his subjects can alone uphold the just rights of their sovereign, and the independence of their own country.

But let us reverse the picture. Grant to the noble earl that this policy, which Europe has witnessed and applauded, is visionary and impracticable. Concede to him that what has saved Austria, must ruin England. Admit, if you can, for argument, admit so monstrous a proposition, admit to him against all reason and all history, that every throne must be shaken to its centre which permits its subjects to hold communion with a foreign Church; to reverence its spiritual functions, or recognize its ecclesiastical supremacy. What follows? That this danger is now existing. Four millions of your countrymen have been born and educated in this religious faith, and not even our ministers themselves have yet proposed to us the forcible conversion of that great community.

They, indeed, the Catholics of Ireland, the objects of your jealousy, the victims of your fears, propose to you, as your best security for their conduct, to identify their interests with your own. As pledges of their attachment they offer to you themselves, their families, their country, all the pursuits of life, all the blessings of freedom, all that they ask from your justice, and seek to enjoy under the protection of your laws. They know and feel that your apprehensions are groundless; the noble earl insists that the danger is real, the ruin imminent. And what does he advise? To leave the matter as it is: the mischief foreseen, but not averted; the discontent inflamed, the separation daily

widened. This is the sum of all his policy, the result, as he describes it, of the collected wisdom of ages. To your real dangers he is blind. For those which he imagines, he provides no remedy. Perpetual exclusion, unmodified intolerance, the persecution of millions, the eternal separation of a whole people by religious animosity, which no time shall soften, no merit reconcile:

"Quam nec longa dies, pietas nec mitigat ulla!"

All these things he judges safe and pleasant, practicable and easy. But conciliation and justice, mutual benevolence and reciprocal affection, the confidence of a just government in the administration of equal laws, and the attachment of a free community in the enjoyment of equal benefits; these he deems visionary speculations, in theory inconsistent, in practice impossible!

But let me appeal to your own conviction. Is it possible to comply with the noble earl's advice? Can this matter continue in its present state? You know it cannot. With the growth of nations their constitution changes. The claims and the necessities of their maturity have no resemblance to the imbecility of their infancy, or the dependence of their childhood. The situation of the Catholics of Ireland has never yet been stationary: it can still less be so in the circumstances of their present strength. The alternative is now before us. An uncontrollable necessity now compels us no longer to delay our ultimate decision. We must either receive that people into the bosom of their country as friends and fellow-citizens, faithful and trust-worthy; or if we really believe them irreconcilable enemies to our government, we must resolve, I can hardly bring myself to pronounce the word, yet the wickedness of such an attempt would not exceed its folly, we must resolve to exterminate the great body of the Irish nation. Persecution, says a prelate of our own Church (Burnet,) if it be allowed at all, must be extreme; it must go to the extermination of all Dissenters from the established religion. Such is the language of Burnet in those admirable reflections which close his history. The grounds of this opinion are there detailed; his expressions are coarse, the sentiment itself is harsh, but it is consonant to reason. I grieve to think how closely we ourselves have followed it in our former

conduct to the Catholics of Ireland. I hold in my hand a picture of complete security established in that kingdom, on the principles of that noble earl; a faithful portrait of that tranquillizing system, to which his policy must inevitably compel you to revert. It is drawn by the hand of a master; one who knows that country well; who describes what he saw, and applauds what he describes; a zealous advocate for all religious tests and disabilities; and who, while he exults in the consequences of persecution, is pleading earnestly for its continuance and extension. "We look upon the Papists of this kingdom," says Swift, (Letter on the Sacramental Test,) "to be altogether as inconsiderable, as the women and children. Their lands are almost entirely taken from them, and they are rendered incapable of purchasing any more; and for the little that remains, provision is made by the late act against Popery, that it will daily crumble away: to prevent which, some of the most considerable among them are already turned Protestants, and so, in all probability, will many more. Then, the Popish priests are all registered, and without permission, (which I hope will not be granted) they can have no successors; so that the Protestant clergy will find it, perhaps, no difficult matter to bring great numbers over to the Church; and in the mean time the common people, without leaders, without discipline, or natural courage, being little better than hewers of wood, and drawers of water, are out of all capacity of doing any mischief, if they were ever so well inclined."

Observe, my lords, in this passage, all the genuine features of these disabling laws: compare their objects, their means, and their results: see with what hopes they are proposed, what consequences they have uniformly produced. Need I ask the prelates of the Irish Church how far the mild course of religious instruction, recommended by this pious divine, has corresponded with his expectation of general conversion? Need I enquire of any British statesman what effects have resulted to the political interests of the empire from the depression and ignorance, the degradation and misery, of so large a portion of its inhabitants. Yet to this policy the noble earl's advice must inevitably compel you to revert. To remain as you are, is manifestly impossible. If you listen to the advocates of civil and religious freedom, if you believe that in

liberality and justice will invariably be found the best securities against discontent and disaffection, complete the work of emancipation, which you have already successfully commenced. If, on the contrary, you resign yourselves to the guidance of the noble earl, and of his colleagues, resolve to act consistently with the principles of their advice. Guard yourselves by new securities against a people whom they pronounce irreconcilably hostile to your government: recall those improvident concessions which have placed these your eternal enemies nearly on a level with your peaceful and loyal subjects. Arm yourselves with fresh severity against them; aggravate your former tyranny in Ireland, and reduce, if you can once more reduce, that flourishing portion of your empire to helpless dependence and irremediable oppression.

This great question can no longer be evaded: the period of procrastination, the hour of delusion, is past. It is to you that this much injured people must now look: you must decide between these two conflicting systems. If not from sentiment or reason, judge them by experience. Review the past history of Ireland, and examine her actual condition. It is now about thirty years since she began, slowly wise, and hesitatingly just, to mitigate her code of persecution: and every step in that direction has led her on to national independence and public prosperity. Of the earlier relaxations of her penal laws it is enough to say, that their benefit, not to her only, but also to yourselves, was more than commensurate with their extent. In 1793, concessions were made in a more enlightened spirit, and with a more liberal hand. It was then that the Catholics of Ireland were first admitted, however imperfectly, to your political constitution: and it is one of the most gratifying recollections of my mind, one of the proudest distinctions of my life, to have contributed largely to the adoption of that auspicious resolution in the British cabinet. We owe to it, (I am not afraid to assert it broadly) we owe to it the means of our resistance to that yoke, under which all else in Europe has been compelled to bow. The noble earl, while he condemns the principle of those concessions, and laments their extent, yet with admirable consistency has blamed their authors for not having rendered them more uniform and systematical. I appeal to those who re-

member the transactions of that day, and the spirit which ruled in Ireland. Greater concession I should then willingly have advised, had greater concessions then been practicable. To have insisted on more would have endangered the whole.

But I admit that the last and most important privilege, the share in legislative power, could be granted only in an united parliament. Of the Union it was the natural and inevitable consequence: a consequence always foreseen by me, and which I have invariably considered as one of the greatest recommendations of that salutary measure.

Would to heaven we had availed ourselves of that best and most auspicious opportunity! When the long wished for Union of these kingdoms, then recently established by law, might in the same moment have been cemented by mutual affection, and made indissoluble by reciprocal advantage. When the Protestant might have been taught to regard it as the main bulwark of his establishment, the Catholic as the sole charter of his emancipation. Ireland had then newly surrendered to you her independant legislature. She trusted in return, that her people would thenceforth be considered as our own; admitted to share, not our dangers only, but also their rewards, leading, as well as following their fellow subjects to the field of glory; partaking with us in the administration of our common interests, and deliberating by the same right as ourselves in the free assemblies of our common country. Then it was, that the British government acting with good faith and liberality, might have reconciled all the long cherished animosities of a divided people, have mitigated instead of inflaming their religious differences, have given to the Protestant that security which two centuries of intolerance have not procured for him, and have restored to the Catholic his civil rights, so formidable to a separate legislature, so harmless in an united parliament. Then was the moment to have established whatever could be desired for mutual security, whatever could contribute to reciprocal affection. Then had already been obtained from the prelates of the Roman Catholic Church of Ireland a ready consent to those very stipulations from which your improvidence, disappointing their just expectations and violating your own engagements, has taught them also to shrink back with reciprocal distrust and jealousy; those very stipulations, the

want of which forms, as is now pretended, a principal obstacle to mutual conciliation.

That opportunity has passed away, and its advantages are irrecoverable. Others have since occurred, less favourable certainly than the first, for such is the condition of human affairs, but still such as might have enabled us to accomplish every wish that could be formed by any true friend to our civil and religious establishments, by any good citizen of the United Kingdom.

All have been equally rejected; at the Union our gift would have been voluntary, the free will offering of affection, the first fruits of fraternal kindness. How it would have been received, let those say who best know the character of that generous and warm-hearted nation, always conciliated by kindness, always wounded by distrust, but never to be finally alienated except by long continued injustice and oppression. The same boon which we might then have been the first to offer, they have since repeatedly asked from us: and so often has it again been in our power to have poured balm into the wounded spirit of our fellow subjects; so often have we driven them from our door, repulsed, humiliated, I would add disgraced, if disgrace did not more properly attach to him who offers than to him who sustains an injury. Had we even then, in their earliest intercourse with the British parliament, had we since, when they so often courted our affection, displayed to them a generous and confiding spirit, how easy would then have been the arrangement of every stipulation which fear itself could have annexed to the concession. How ready, how sincere, how complete might have been the union of these sister kingdoms! How different are now the results of the opposite policy! How different both our own situation and the disposition of our fellow subjects! How gradual, how regular, has been the growth of that distrust and jealousy which we have planted in their hearts!

Why do I recount these things? Is it only to reproach the authors of all this evil, with the calamities consequent on their misgovernment? That were a poor consolation. My purpose is to remind your lordships, and to impress it on my country, that we have now this last opportunity, not, indeed, of retrieving what we have already lost, that were too much to hope, but of preventing the further accumulation of mischief; and of averting that dreadful situation, God knows how soon it

may otherwise arrive, in which no art can save, no wisdom can recover us.

But the noble lords are unconvinced; and tauntingly enquire of us, the advocates of a better policy, whether we still believe that this great work can be accomplished with the same facilities as formerly for mutual conciliation; with the same securities as might have once been obtained against every real, against every imaginary danger? What are the expectations of others, I know not. For myself, I answer, as the truth is, No; I have no such hope. Their impolicy has deprived me of it. My country must, I know, pay the penalty of their misconduct; she must reap what they have sown, and exhaust, even to the dregs, the bitter draught with which they have poisoned the sources of her prosperity.

Much, however, it is still in your power to achieve for the peace and union of the empire. I forbear to dwell longer on the benefits which must result from such a resolution. You are now asked only to consider these Petitions. And let it not be forgotten, that if the noble earl had proved to you all that he has asserted, if he had established the necessity of excluding British subjects from the legislature and government of their country, there would yet remain behind, in these disqualifying laws, provisions imperiously requiring the interference of parliament. Those laws have done much more than even the noble earl requires. They have marked and stigmatised this people, as incapable of eminence in any honourable course of life. Such is their condition in all the ordinary relations of society. Traders shut out from the corporations of their native towns, merchants excluded from the direction of their national bank, barristers proscribed from the bench, officers to whom all prospects of military glory are denied, country gentlemen prohibited by law from executing the office of sheriff. Reflect, too, on the avowed reason of this last exclusion. It is because with the sheriff rests the nomination of those juries who decide on their property, honour, and life, that they are held unfit to discharge that trust. To the Protestant alone it is confined. The appointment itself is exclusively vested in the crown; and we know what are the dispositions, and what the conduct of the Castle, towards the Catholics. But even this is not deemed a sufficient security, without superadding to it; by law, a provision equally dishonour-

able in its motive, and unjust in its operation.

I might also enlarge on that spirit, which these laws alone have kept alive in the Protestant corporations of Ireland. I might remind you of the recent conduct of the corporation of Dublin, if, indeed, that conduct be such (I am reluctant to believe it,) as I have read in the public accounts of their proceedings.

Would you learn the temper of that body, which decided to stand alone in petitioning your lordships against the claims of their countrymen? It was proposed to them, to recognize the services of one of the thousands of Irishmen who are daily fighting the battles of their country. To this gallant individual, returning covered with wounds from the field of his exploits to the bosom of his admiring country, they were content to express their thanks. But he is a Catholic. The freedom of their city, therefore, they would not grant him. His conduct they applauded; the advantage, the honour, resulting from it to his country, they acknowledged; they would, without difficulty, vote to him a sword. Arms they would put into his hands, that he might again use them as the soldier of a free country; again hazard his own life, again maintain their interests, acquire fresh laurels for himself, achieve fresh victories for Ireland, but that on his return he might again be told, that a Catholic is unworthy to be admitted to the rights of her citizens, or to participate in the freedom of her metropolis!

Such conduct, my lords, can only excite our scorn. What follows is of a more serious nature. It affects the authority of the legislature, and the impartial administration of justice. We are told, that, on the same day, this Protestant corporation proceeded to elect their sheriffs; those officers who, in the capital of Ireland, are to name the juries to serve on every trial between Protestant and Catholic, between the King and his subjects of all religions. And we learn that a test was required by this body from the candidates for such an office; a test unknown to your laws, and inconsistent with the supremacy of parliament; an engagement of perpetual adherence to the system of these exclusive laws, in defiance of the authority even of the legislature itself. I speak from the public papers. I request the ministers to contradict the statement, if it be groundless. This is necessary to vindicate, not so much the character of the corpora-

tion of Dublin, as their own. Let them, if they can, assure your lordships that they have not connived at this open insult to the legislature, that they have not permitted this outrage on the constitution of your judicatures to pass with impunity. Above all, let them satisfy you that this has not happened in the same city, where they have so lately prosecuted men, the first in rank, and character, and honour, for acts which, if they are illegal in Ireland, are illegal in England also; but which are daily practised here under the eye of your government, and with the full cognizance of the legislature.

My lords, this subject is inexhaustible, and my own anxiety upon it knows no bounds. But I am trespassing too long upon your patience. Yet to one point more I must advert; it relates to the military disqualifications. Catholic officers are disabled from holding the same commissions in England, which they may lawfully hold in Ireland. Five years ago, the removal of this monstrous contradiction in your laws, and the extension of equal privileges to officers of every rank, was separately proposed to parliament. What followed? You all remember the clamour that was excited, from what quarters it proceeded, and by whom it was encouraged. You remember the countenance given to it by prelates and statesmen, by persons whose station and whose functions should, at least, have deterred them from the guilt of disseminating groundless alarms and grossly injurious calumnies. The people of England were then assured, that inevitable ruin must accrue both to their Church and to their state, if any Irish Catholic should ever exercise military command in any corner of this Protestant island. I say Irish Catholic, because the very authors of these alarms had themselves (such is the consistency of faction,) not three years before, authorized the crown, by law, to employ foreign Catholic officers in England, without any limitation of number, or any test of allegiance. What is now your situation? Those who deprecated this danger have incurred it; those who declaimed against any alteration of the law have altered it. Those who entreated you to take your stand on that untenable ground, have themselves abandoned it. The ink was scarcely dry with which their inflammatory advertisements were penned, the sound of their senseless and wicked clamours against Popery was still ringing in your ears, when they them-

selves brought over to this country whole regiments of Irish Catholics. All their fears subsided, all danger from entrusting military command to their fellow subjects, vanished from their minds; and if the disturbances which their wretched commercial policy has, at this hour, excited in the interior of our country, should happen to extend themselves to Northampton, it will probably be on the Catholic militia of Ireland, that even this sanctuary of Protestantism must rely for protection against the consequences of their misgovernment.

Such is the reality of the dangers with which you are threatened on these subjects; such the sincerity with which they are urged! Let it not be supposed that I condemn the measure of bringing these regiments to England; far otherwise. I know no better remedy for the prejudices which have been thus wickedly excited in this country, than that the people of England should see and know their fellow subjects; should judge how little their dispositions, their character, or their conduct, accord with the representations of their enemies.

My lords, I have much to add; many points highly important to this great question I have left unnoticed; many unanswerable arguments I have forborne to urge; but, at so late an hour, I can venture to trouble you no longer. I have answered, I trust conclusively, every particle of objection suggested by the noble earl against the general object of this motion. I have adverted, though very shortly, to some points untouched by him, and in themselves of smaller comparative importance; but such as prove, beyond the possibility of denial, that these laws must of necessity be revised.

Suffer me, in the conclusion of my statement, once more to remind you, that it is to the examination, not to the decision, of these questions, that you are now invited; and that to this you cannot refuse yourselves, without a violation of the public faith plighted to the Catholics at the Union, and a manifest dereliction of your own duty.

But let me not, in thus assigning the real limits of this question, disguise to you my own opinion of the conduct which it behoves us to pursue. I am satisfied there is but one result of this examination which can be honourable to yourselves or useful to the empire. We must repeal these disabilities without delay: repeal them not partially but wholly. We must

admit our fellow subjects to the full and equal enjoyment of that constitution, which is our inheritance and our boast, the strength of our government, and the security of our people. Do this, my lords, and we may defy the world in arms. This will be our best protection against danger from abroad, and discontent at home; the strongest bulwark of our establishments, the surest of all safeguards for our Church itself. Let us, at the same time, omit no other article of our public duty; let us watch with unceasing vigilance over the maintenance of our reformed Church; protect its rights, uphold its establishments. They are rooted in our affections, and interwoven with our liberties. But let not the councils of Great Britain be polluted by the principles of intolerance, nor her legislature rest her safety on persecution. Disunion is our only real danger. To that object, all the efforts of our enemies are unceasingly directed. It is for us to cherish, in both countries, the seeds of conciliation, the growth of mutual affection; proving, by our own example to them and to the world, how much above all other policy is the wisdom of liberality and justice.

The Lord Chancellor.—My lords; in consequence of what has fallen from the noble baron, who has just sat down, I feel myself called upon, if on no other account but that of the very numerous and respectable body, with whom I am most intimately connected, (university of Oxford) not to suffer this question to pass with my silent vote.

I feel that I should not do my duty by them, if I did not rise, and, on their parts, disclaim that conclusion which has been formed of the motives which induced them to present that Petition to your lordships on this occasion, which now lies on your table; and which I do say, is the result of fair and full deliberation; and not actuated by any motives of illiberality, of bigotry, or intolerance, towards his Majesty's Roman Catholic subjects; but founded on that well-grounded and loyal attachment, ever evinced by that learned body towards the constitution of this country; with a just reference to the principles upon which that constitution was settled at the time of the Revolution.

My lords, I disclaim, on my own part too, that I have ever voted on this subject upon any principle of intolerance. I never did, nor ever will give any vote

against the extending the religious, or civil liberties, of any class of his Majesty's subjects, when I think I can give that vote for such extension consistently with the security of our own establishments; but I shall always be guided in my decisions on such subjects, by what I conceive necessary to maintain the constitution, as by law established; for the happiness and security of the great whole. This, my lords, was the principle which has uniformly governed my conduct, and which shall do so on this subject.

My lords, it has been imputed to me, that on a former occasion, I eluded this question, by the noble lord who has just now, with so much eloquence, addressed you; and who now calls upon you to go into this committee; but, my lords, although I gave a silent vote on that occasion, my vote was not governed by prejudice; but because I conceived the tendency of the motion was against the Protestant establishment of these countries; and that it had a tendency to alarm the Protestants of Ireland; and to foment those jealousies which might take place on such an occasion.

Will your lordships give me leave to call your attention to what the motion is now before you? It is, that you will go into a committee to enquire what are the laws which now operate to prevent the Roman Catholics of Ireland from being admitted into all the advantages of place and power in the state, equally with the members of the Protestant Church, in order to devise the means of abrogating those laws; and, my lords, through the whole tenor of this debate it has been warmly asserted, that the Protestants, as well as Catholics of Ireland, are equally desirous of this change.

But, my lords, if you have any regard to the Protestant Church of Ireland, which does not now exist as a separate establishment; but is united for ever by the Union with the Protestant Church of England, I would ask, how you can go into such a question, and with such views, without affecting the Protestant establishment in both countries; And I will be glad also to know how you can exclude from such a consideration his Majesty's Roman Catholic subjects in Scotland? Their number, it is true, may be fewer than those in Ireland; but the principle of justice is the same; and the question, therefore, must be one, which not only affects the Established Church of England and Ire-

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land, but also that of Scotland, where it must tend to do away the Test Acts, established by the laws of that country, and settled by compact at the Union; and however easy it may seem to the noble lord to dispense with the laws of England and Ireland, upon this subject, I believe he will not find it so easy to deal with the test of the law of Scotland.

I cannot consent to the measure of going into a committee, for the purpose of doing away laws which we deem necessary for the safety of the Established Church, until it can be clearly shewn to me, that there is a necessity for going into a question which is directly to affect that security, and to excite disquiet amongst all classes of his Majesty's Protestant subjects in both kingdoms. But, I say, my lords, if you should be of opinion, that it is right to give up what the Catholics claim; and that such a surrender is indispensable, as it is alleged, to procure their tranquillity and your safety, you should give it at once, without the delay of a committee, and bring in a Bill for the purpose.

My lords, agreeing as I do with the noble lord in respect of the principles which preceded the Revolution in this country, he will allow me to say, that the result of that event was not only to provide for the security of our civil, but our religious liberty! and that king William was called to the throne of these realms to protect our Protestant religion, as well as our civil liberty. Have noble lords read the Bill of Rights? I have read it over and over again; and I say, it not only complains of the civil tyranny to which it alludes, and against the recurrence of which it expressly purposes to protect us for ever; but it also complains of the religious tyranny, with which that civil tyranny was so intimately connected. Upon what ground, then, was it that this Bill of Rights was founded, unless upon the establishment of a government purely Protestant in Church and State? My lords, have I forgotten all that I have been reading upon this subject; or have I misunderstood the doctrines expressly laid down by the great authorities, who lived nearest the Revolution, and who were leading actors in all the great transactions which took place at that period? Look at the language of Somers and Hardwicke on that subject; for, if I err, I have been misled by the writings of those great characters; and, my lords, to the doctrines

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ciple of the constitution, as continued and recognized by every act of the state, down to the present hour, that the king should be head of the Church. It is clear from every historical authority, that our ancestors, at the Revolution, so meant that it should be both then and always; but it is now proposed by the supporters of this motion, that the advisers of his Majesty may be Catholics who deny him that supremacy.

My lords, I, for one, disclaim any such sentiments; and I never will agree to the prayer of any Catholic Petition, having for its object a purpose, in my mind, so directly subversive to the very principles of your constitution.

My lords, I should not trouble your lordships on this occasion, if I did not think it my bounden duty emphatically to avow and repeat the sentiments I have so often expressed on this subject. I beg to say again, that in the part I take, I am not actuated by any feeling of intolerance to the religious opinions, or civil rights of any man, or class of men, so far as I think them consistent with the security of the state: and maintaining that principle, I trust that every man, from the highest to the lowest, will do what he conscientiously thinks will be for the good of the whole people; and upon this principle it is that I cannot agree to the measure now proposed.

Lord Grenville.—My lords; I have no intention of making, under the plea of explanation, a reply to the learned lord's speech. The temptation no doubt is great, but I will not yield to it. I rise solely to vindicate my own character against his unjust aspersions, and a few minutes will suffice for this purpose. The learned lord accuses me of inconsistency on this subject. I have formerly, he says, considered some conditions as indispensable from which I now advise you to depart. Were the fact true, I should admit it without reluctance. I have never desired the praise of that consistency which adheres to error in spite of conviction. Nor can I exclude from my views of the present question all reference to the increasing pressure of the times, and to the fast accumulating distresses and necessities of the empire. But the charge is wholly groundless. Neither my opinions on this great question, nor therefore my language or my conduct, have ever varied for a moment. The learned lord refers you to a printed letter of mine to lord Fingall, and following the

early example and daily practice of his colleagues, he quotes it in unfair and garbled extracts. In one thing, however, he differs from them, and I thank him for it; he has at least the manliness to make his personal attacks upon me in a place where they can be answered.

My lords, I adhere to that letter, to every phrase which it contains, to every sentiment which it expresses; nor have I this night uttered a single word which does not perfectly accord with it. I desire you only to read it before you judge, to take your impression of its contents from the paper itself, and not from such misrepresentations as the learned lord is pleased to make of it. When you have so done, I will gladly appeal to yourselves whether it be true, that I have in any part of that letter, spoken of the king's negative upon the appointment of the Roman Catholic bishops in Ireland as an indispensable condition, without which the disabilities now attaching on that body can never be repealed? The learned lord asserts it, but he has read to you no such passage. None such is to be found. You will find there on the contrary my recorded opinion, that to insist on such points "in opposition even to groundless prejudice, would be the reverse of legislative wisdom." You will find my humble but earnest exhortations that no such partial and precipitate decisions "should prejudice any of the separate branches of this great question, or limit its unreserved discussion." You will perceive, I trust, in every paragraph and line of that publication the general and pervading spirit of the whole; the same wish which I have this night expressed for national conciliation above all other things: the same deep sense which I have ever entertained of the importance of this great cause, the same unwearied solicitude for its success; the same earnest recommendation to sacrifice to it all minor considerations, all petty jealousies, all groundless fears, and to confide without reserve in the wisdom and patriotism of the legislature as our best securities for the interests of every member of the empire, and for the safety of the whole. Are these the sentiments I am now called upon to disavow? Is this the opinion which I can be afraid of comparing with any language ever held upon the subject by the learned lord himself? Or can any man point out in any part of these suggestions the smallest variation from my present conduct?

The learned lord has entertained himself with a long history about Dr. Milner and the Veto. For what purpose? would he insinuate that I deceived you on the subject? He knows the contrary. If he had read the letter which he quotes, he must have learnt from it that I spoke in the presence of those whom he supposes to have contradicted me, and that I received from them on the contrary their immediate and full "acknowledgments of "satisfaction in all that I had stated."

An impression hostile to that measure has since prevailed in Ireland. Am I accountable for this? The impression was produced by the unjust and irritating conduct of the British government. To them, therefore, if any evil (which I expect not) shall follow from the rejection of the Veto, to them that evil is solely to be ascribed. But, however raised, such feelings do certainly exist. That proposal, which at the period of the Union was sanctioned by the most considerable of their bishops, is now considered by a large proportion of that people as subversive of their Church. Is it wisdom utterly to disregard such feelings? Is it justice to trample on the opinions of a whole community? Does consistency require that he who advises a measure when approved by both the parties whom he wishes to conciliate, shall pertinaciously insist on it when decidedly opposed by one of them? Or does the learned lord in the consideration of any question in the British parliament, regard it as indifferent whether it tends to the union or the separation of our empire?

The learned lord then read to you a paragraph, in which I speak of "extensive and complicated arrangements," as necessary to be made on the subject of Ireland. These he would wish you to believe must have reference to the same measure of the Veto, or to some other connected with it; and he calls upon me, in consistency with my opinion, to detail all these arrangements to your lordships in this debate; and this he does in the very moment when he is exhorting you to refuse yourselves to all consideration of the subject! You will judge which of us is most consistent with himself. But he has, in truth, misrepresented the purpose of this passage. Look at the context which he supposes, and you will see that I am there speaking, not merely of the inviolable maintenance of our religious and civil establishments, (though this is a duty

which I never will abandon,) but that I use the words in a sense still more enlarged. I am there combating an opinion falsely, sometimes maliciously, ascribed to the supporters of this cause, that the repeal of these disabilities is of itself sufficient for the good government and happiness of Ireland. And I declare my own conviction, that much more is wanting for that purpose. Do the King's ministers doubt it? Ill, indeed, are they informed of the condition of that country, if they are ignorant that it demands from the British government a different attention from any which they have hitherto bestowed upon it. I will not accept his invitation to enter on that subject now. Let him ask the noble Secretary of State, his colleague, what that question is which the noble earl fears to encounter, and staves off by the notable expedient of interposing another grievance? I believe the answer will alone be sufficient to satisfy him that there are, indeed, extensive and complicated questions to be considered by any man who wish to perform their duty in that portion of the empire in a different manner from that in which the learned lord and his colleagues have hitherto discharged it. I speak not of occasional and temporary difficulties; of such attention as the noble lords themselves have sometimes been compelled to give to the concerns of Ireland; I speak of a uniform and consistent policy, of a vigilant and anxious solicitude for her welfare, such as is due from every government and legislature to those whose interest it professes to administer.

I will detain you no longer. There is no colour for the learned lord's charges of inconsistency against me. The policy which I now advise I have always advised. The neglect which I now condemn I have always condemned. Its consequences are at this hour pressing on all our resources, weighing down all our exertions; aggravating every difficulty of the empire, alarming all its friends, and encouraging all its enemies. And it would much better become the authors of all this evil to acknowledge and lament the effects of their own misconduct, than to bring groundless accusations against those who have laboured, but laboured in vain, to arrest the progress of those infatuated counsels, and to save their country from the calamities, by which such impolicy is inevitably attended.

Lord *Holland*.—My lords; I do not rise at this late hour of the night, to enter into any argument, but to explain one point; or, indeed, I may say, to apologize to the noble and learned lord for interrupting him when addressing your lordships. The nature and motive of that interruption he has indeed, mistaken; but apology is due to him for any thing bordering on inattention; and I can assure him that my remark, which was made too loudly, was owing first to the circumstance to which he has himself adverted, the part of the House from which he speaks: and 2dly, to the great good humour with which he generally receives every thing of the sort; but when I so irregularly exclaimed to the noble lord to read the Bill of Rights, I did not mean to imply, (God forbid I should) that he had not read, nor did not understand, the Bill of which he was speaking; I did not mean to recommend him to read an act of parliament, with which I was, and am well convinced, that he is perfectly familiar; but I called upon him, irregularly, I admit, but not disrespectfully, to have the Bill of Rights read at the table, in order to enable the House to judge of the practice of that observation, on which he has this night laid such a stress. The noble and learned lord maintains, that the exclusion of Roman Catholics from parliament and offices, is part of the fundamental law of our constitution, as declared by the Bill of Rights. It is that point I wished to be explained; and it is that point which, I think, the reading of the Bill of Rights would completely clear up; and set not only in a different, but in an opposite light, to that in which the noble and learned lord has presented it to your lordships. It would detain the House to have the Bill read at length; but if any there be on whom this part of the noble and learned lord's statement has made an impression unfavourable to the repeal of the exclusive laws, I trust they will refer to the Bill itself; and in it I contend they will find nothing which precludes them from repealing the laws of exclusion; nothing which enacts or implies, that those laws are fundamental in our constitution, or absolutely and permanently essential to its security.

There are, indeed, two distinct parts of the Bill of Rights; that which, after reciting the illegal and unexceptionable endeavours of king James 2, proceeds to declare, re-enact, and confirm the ancient and undoubted rights of Eng-

lishmen: the other, which enacts what was necessary to the object of the time, the establishment of king William on the throne. The first part, which contains thirteen articles, declared to be the ancient and undoubted rights of Englishmen, may be called fundamental (if, indeed, any law is fundamental in a state, which has a supreme legislature in it like ours) but in these thirteen articles, declaratory of our "ancient and undoubted rights," the words Protestant, or Catholic, never once occur, except in stating that Protestants shall not be deprived of their arms: with that exception, there is not one of the thirteen declarations that might not be equally maintained as the rights of the people of this country, if the Roman Catholic, or even the Mahometan religion, were established throughout it to-morrow.

Unquestionably, the violation of some of these exclusive laws, that is, the dispensing with the tests required by law, formed part of the charge against James 2, and was one of the motives to the glorious resistance made against that misguided monarch; but that very circumstance makes the omission of any mention of these laws in the declaratory part of the Bill of Rights, the more remarkable; and proves the more forcibly, that though the statute law of the land, such test laws were not in the contemplation of the great men who effected the Revolution, any part of the ancient necessary and unalterable constitution of the country. For though James 2 had broken those laws, though contrary to their letter and their spirit, he had admitted Catholics and Dissenters to places of trust and profit, and dispensed with those oaths which the law exacted from them. Yet, in vindicating the rights of the people, the Bill of Rights does not declare that the Test Act must be perpetual, that it can never be repealed, that places of trust and profit, that seats in parliament, that political power is essentially Protestant, and so forth. No: not one word of all this in the declaratory part of the Bill: it confines itself to the simple declaration in these two articles: 1st. That the pretended power of suspending of laws, or the execution of laws by regal authority, without consent of parliament, is illegal.

2dly. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been affirmed and exercised of late, is illegal.

It lays no stress on the particular character of the laws, suspended or dispensed,

but simply denies the power in the king of suspending, or dispensing with laws, in as much as they are laws.

Formerly, though not to-night, I have heard the noble and learned lord say, those laws were felt to be fundamental at the Union with Scotland; and yet then a motion was made to render them so; and was rejected by a large majority of this House. The fact is, these very laws, and many others, to which my noble friend's motion is directed, were not in force in that part of the united kingdom, on which they have since most severely pressed, when the Bill of Rights was passed; and since that period they have been varied, added to, repealed, and altered, in both countries, in a manner quite inconsistent with the notion of their being so sacred and fundamental as the learned lord wished to represent them.

In England, from Henry 8 till late in Charles 2's reign, that is, during the period in which the Reformation prevailed over the old establishments, no such laws have existed. Catholics might, Catholics did, sit in parliament; Catholics might, Catholics did, hold offices of trust and profit; and the Protestant Church grew into an establishment, without these fundamental laws which are now, forsooth, held to be absolutely interwoven with her existence. Nay, the laws on this subject, either existing, or made at the time of the Revolution, are not the same as are now in force: some have been added since; others have been repealed; all have been altered, varied, or applied, either by law, or usage, in a way incompatible with the character of sacred, unalterable, and fundamental laws of our constitution.

In Ireland they were known at that time; and the Test Act now exists there no longer. So far from forming part of the settlement of that kingdom, the capitulation of Limerick, by which the kingdom was recovered and secured, contained a solemn stipulation that these laws, which are now called fundamental, (but which have been varied and altered perpetually since) should never be enacted; even as to the absurdity of Catholic ministers recommending to Protestant benefices. If there were time to go into details, I could, I think, prove, that if it is unreasonable, it is at least not unexampled in our history; that such an anomaly has happened, and happened without injury to our Church. That some of our best and ablest divines have

owed their elevation to the recommendation of Catholic treasurers, or Catholic chancellors: but this will lead me far. I will not go into this part of the question, though nothing, as I contend, has been more artfully misrepresented, or more grossly misconceived throughout the country, than this part of the history of the Revolution.

A noble marquis in the blue ribband has, indeed, admirably exposed the delusion in his eloquent speech of this night. The connection of the Catholic religion and King James's cause was, I maintain, purely accidental; and our ancient and unprecedented rights (to use the words of the Bill itself) vindicated at the Revolution, were as much the rights of our Catholic ancestors, as they are ours; and would be as much our rights to-morrow, if we were reconciled to the errors of the Church of Rome, as they are to-day, when we abjure and renounce those errors. It is thus I read the Bill of Rights, and I defy the noble and learned lord to prove from the statute book that I read it wrong. The Protestant monopoly of seats in parliament, and offices of trust and profit, is not there declared to be a fundamental law, or an undoubted right of the people of England. Thirteen rights are there proclaimed to be ancient and undoubted; those thirteen are vindicated, declared, enacted, and confirmed; but in the thirteen the noble lord will not find one word in favour of the laws which my noble friend wishes to be referred to a committee of your honourable House.

My lords; in the general question I will now say nothing. My opinion remains not only unaltered, but strengthened. Justice calls upon us to restore the birth-rights of our countrymen. Policy recommends, I should rather say, necessity enjoins us to conciliate the affections of a third of our fellow subjects. I have only to repeat my apologies for intruding, at this late hour, though for so short a time, to protest against the existence of any fundamental law, or any essential principle in our constitution, standing in the way of a measure, which justice demands, and necessity dictates. Such is the measure, this night recommended by my noble friend, commonly known by the name of Catholic Emancipation, and consisting, in my view of it, of a complete removal of all civil disabilities whatever, on account of religious opinions.

At five o'clock in the morning of Wednesday, the 22nd of April, the House divided.

	Present.	Proxies.	Total.
Non-Contents	103	71	= 174
Contents	67	35	= 102
Majority	36	36	72

List of the Minority.

PRESENT.

DUKES.	DONOUGHMORE
Sussex	VISCOUNTS.
Norfolk	Hereford
Grafton	Bolingbroke
Bedford	LORDS.
Devonshire	Say and Sele
MARQUISSES.	Hastings (Moir)
Lansdowne	St. John
Stafford	Clifton (earl of Darn-
Wellesley	ley)
Headfort	Byron
EARLS.	Dutton (m. Douglas)
Derby	Boyle (earl of Cork)
Suffolk	King
Essex	Ponsonby (Besboro')
Albemarle	Montford
Plymouth	Grantham
Jersey	Holland
Oxford	Ducie
Cowper	Sundridge (d. of Ar-
Stanhope	gyll)
Waldegrave	Foley
Fitzwilliam	Grantley
Hardwicke	Bulkeley
Darlington	Somers
Kingston	Boringdon
Conyngham	Braybrooke
Spencer	Amherst
Hillsborough (marquis	Grenville
of Downshire)	Bradford
Grosvenor	Yarborough
Fortescue	Cawdor
Caernarvon	Erskine
Rosslyn	Ponsonby
Grey	Ailsa (earl of Cassilis)
Lauderdale	BISHOPS.
Ossory	Norwich
Lacan	Kildare

PROXIES.

DUKES.	VISCOUNTS.
Somerset	Duncan
St. Albans	Anson
MARQUISSES.	LORDS.
Buckingham	Spencer (m. Bland-
Bute	ford)
EARLS.	Hawke
Thanet	Ashburton
Carlisle	Thurlow
Tankerville	Berwick
Bristol	Auckland
Quilford	Mendip (v. Clifden)
Portsmouth	Dundas
Ilchester	Carrington
St. Vincent	Glastonbury

Lilford	Breadalbane (earl of)
Carysfort (earl of)	Ardrossan (e. Egling-
Alvanley	ton)
Hutchinson	Butler (e. Ormond)
Granard (earl of)	Monteagle (m. Sligo)
Crewe	Charlemont (earl of)

Present	- - - 67
Proxies	- - - 35
Paired off	- - - 2
Lost	- - - 1
In all	—105

Lord Keith and the Earl of Selkirk paired off, and the proxy of the Bishop of Rochester was sent, but too late to be entered before prayers.

HOUSE OF COMMONS.

Tuesday, April 21.

PETITIONS RESPECTING THE ROMAN CATHOLICS.] Sir William Scott presented a Petition from the chancellor masters and scholars of the university of Oxford, setting forth,

"That the petitioners understand that certain Petitions have lately been presented to the House, complaining of divers restrictions and disabilities to which, notwithstanding the various indulgences heretofore granted them, the Roman Catholics of these realms are still subject, by several statutes now in force, and praying that all such restrictions and disabilities may be utterly abolished; and that the petitioners contemplate with much anxiety the alarming extent of the prayer of the said Petitions, and the effects which, in their judgment, must inevitably follow, if the same should be granted; and that the petitioners do verily believe that the particular restrictions and disabilities of which their Roman Catholic fellow subjects in Ireland complain, are no other nor greater than are indispensably requisite for the maintenance and security of the Protestant government and Protestant Church, as they are now by law established in that part of the United Kingdom; and that the petitioners see also much reason to apprehend, that a compliance with the prayer of the above-mentioned Petitions would lead, and, they fear by direct and necessary consequence, to the removal of all restraints whatever on account of religion, whether they affect Roman Catholics or Protestants, throughout the whole of this United Kingdom, and to the entire abrogation of those oaths, declarations, and tests, which are by law required of every person admitted to sit or vote in either House of Parliament, or to fill offices of trust and power, all which the

petitioners still humbly conceive to be essentially necessary to the security both of our civil and religious establishments; and praying, that the House, in its wisdom, will be pleased to maintain and preserve inviolate those laws which experience has proved to be the best safeguards, under Divine Providence, of our present happy constitution in Church and State."

Ordered to lie upon the table.

Mr. Grattan presented the General Petition of the Roman Catholics of Ireland, whose names are thereundersigned;—also a Petition of several Roman Catholics of the county of Monaghan; and Mr. Ponsonby presented a Petition of several Roman Catholics of the county of Down; containing the same allegations and prayer as the Petition of several of the Roman Catholics of the Queen's County in Ireland, which was presented upon Thursday last.

The said Petitions were ordered to lie upon the table.

PETITIONS OF PROTESTANTS OF IRELAND IN FAVOUR OF ROMAN CATHOLICS.] Three Petitions of noblemen and gentlemen, connected by birth or property with Ireland, and professing the Protestant religion, were presented and read; setting forth,

"That the subscribers thereunto do most humbly petition the House in favour of their brethren and fellow subjects the persons professing the Roman Catholic religion; they apply to parliament to be admitted to the privileges and franchises of the constitution; and the petitioners, their Protestant brethren, do consider such application to be just, and do most heartily join the Catholics in this their loyal and reasonable request; and that, convinced of its policy, as well as of its justice, they do most zealously implore the House to comply with the prayer of the said Petition, and to relieve the persons professing the Roman Catholic Religion from all civil and political disabilities."

Ordered to lie upon the table.

PETITION OF PROTESTANT DISSENTERS OF BERWICK-UPON-TWEED, FOR LIBERTY OF CONSCIENCE.] A Petition of the Protestant Dissenters and other Protestants, friends to religious liberty, residing in Berwick-upon-Tweed and its vicinity, was presented and read; setting forth,

"That they consider it as the natural and undoubted right of all men to worship God according to the light of their own (VOL. XXII.)

consciences, and, after a diligent and impartial examination of the Sacred Volume, to embrace and avow what they conceive to be the truth; and that, in the exercise of these invaluable rights, they ought not to be opposed by any law subjecting those who dissent from the mode of worship of the Established Church to any corporal or pecuniary punishments, as man is accountable to God alone for his religious sentiments; and that, by the wisdom of parliament, and the liberal disposition of the sovereign, the petitioners acknowledge, with peculiar pleasure and gratitude, various laws, which tended to the subversion and violation of those rights, have been repealed; yet they still observe, with a mixture of pain and apprehension, that other laws, no less inimical to those rights, remain on the statute book, by which Dissenters of every denomination from the Church of England are subjected to heavy fines and corporal punishments; therefore the petitioners, though they yield to none in loyalty to their king, and love to their country, yet feel it to be a duty they owe not only to themselves but to posterity to remonstrate respectfully, but at the same time earnestly, against the longer duration of those laws which they consider as an infringement of religious liberty, and humbly petition the House, that all such laws may be speedily rescinded, and that every subject of the United Kingdom may be allowed to worship God as he pleases, under his own vine and fig-tree, without any thing to make him afraid."

Ordered to lie upon the table.

PETITION FROM THE EAST INDIA DOCK COMPANY RESPECTING THE EAST INDIA TRADE.] A Petition of the court of directors of the East India Dock Company, was presented and read, setting forth,

"That two acts were passed in the 43d and 46th years of his present Majesty, for the further improvement of the port of London, by making docks and other works at Blackwall, for the accommodation of the East India shipping in the said port, whereby the East India Dock Company was established, and powers given for the erection of certain docks at Blackwall, for the reception of, and unloading and lading, East India shipping; and that the said Company, after three years, completed the said docks and premises, at an expence of about 400,000*l.*; and that the said docks have greatly contributed towards

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the security of the property and revenue, and facilitated the unlading and lading of the said ships; and that, independent of the sum invested therein, the officers and requisite establishment of persons for the conduct of the business, with the several storehouses for the use of the ships (as well as for the warehousing of that hazardous import saltpetre), and other buildings erected, are of a magnitude to meet all the requisitions of the intercourse with India, upon a scale that is fully adapted thereto; and that the petitioners have embarked so large a capital, and made all these several provisions, in the full confidence, that the whole produce of the East Indies, that would arrive in this kingdom, should be brought into the said docks, together with all ships laden with such produce, and have, therefore, relied upon the continuation of those principles that gave rise to the existence of the docks, warehouses, establishment, and the numberless accommodations they now possess; and that there is no want of either convenience, security, or exertion, in the conduct of the business of the Company; and that the principles and management of the Company have been such as to afford a security to the revenue beyond all parallel, in the transit to the East India Company's warehouses, as well as at the docks and premises adjoining; and that the petitioners can with confidence appeal to the East India Company for their testimony of the perfect security that attaches to their immense property, and to that of individuals imported into their warehouses, as well as to the charges thereon being moderate, and to the facility and dispatch in clearing their ships; and that it is with extreme concern the petitioners notice the attempts making towards the introduction of Asiatic produce to the out-ports of the kingdom, a measure that will, if adopted, involve the interests of the petitioners to a most ruinous extent; and praying that the House will be pleased to take them under its protection, and not suffer any representations or interference to prevail against the privileges granted to them under the acts of parliament before mentioned, upon the faith of which they have expended so large a sum of money, engaged so many competent persons in the discharge of the duties attached to the docks, and conducted the same to the great benefit of the parties interested in the trade and ships employed to and from India, and with great advantage to the revenue of the country and the public."

Ordered to lie upon the table.

IRISH CORN DISTILLATION PROHIBITION BILL.] Mr. *Maurice Fitzgerald*, knight of Kerry, said that from the beginning of the present alarm respecting a scarcity of provisions in Ireland, he had called the attention of government to that subject, and had requested of them to quiet the fears of the people, and to take the necessary steps to prevent the impending evil. The right hon. Secretary of State for Ireland, had, however, been deceived by false statements, and had asserted to the House that the scarcity was only local; and that enough of grain existed in Ireland, not only for the supply of that country, but also to relieve the wants of England, and to afford enough for distillation from corn. Notwithstanding those assertions, and notwithstanding the improved state of the agriculture in Ireland, which surpassed in so short a time whatever the most sanguine expectation could have anticipated, still it was too well proved that a scarcity existed at the present moment. He thought, in consequence, that the readiest method of affording relief to the population of Ireland, was to put a stop to the distillation from grain, which consumed fifty thousand quarters a week.—The right hon. gentleman concluded by moving, "That an humble Address should be presented to his royal highness the Prince Regent, stating, that it appeared necessary to the House, in order to obtain a necessary supply of food for the poor of Ireland, that the distillation from grain should be stopped, and praying his Royal Highness to give directions for such measures as would speedily effect that desirable object."

Mr. *Wellesley Pole* said, he had listened with great attention to the speech which the right hon. gentleman had just delivered, and he had some difficulty in persuading himself that it was spoken by the same gentleman, who about a month ago had favoured the House with another speech, in which he had taken a completely different view of every part of this subject. The right hon. gentleman, indeed, seemed completely to have forgotten the greater part of the opinions which he had advanced, and the arguments which he himself had urged at the period to which he alluded. The right hon. gentleman had said, that when he addressed the House a month ago upon the subject of the high price of provisions in Ireland, he had advised the immediate stopping of the distilleries, in consequence of the scarcity

of grain. To this assertion he was under the necessity of giving a direct contradiction, the right hon. gentleman had given no such advice, nor had he expressed any opinion that the state of Ireland with regard to grain was such as to require the suspension of the distilleries. On the contrary, the right hon. gentleman had declared that he was rather inclined to think that there was no real scarcity, and contented himself with merely calling for some returns. The right hon. gentleman had, indeed, expressed some apprehensions upon the subject, and had called for those returns in order to see whether his apprehensions were well or ill-founded. He was therefore very naturally astonished to hear the right hon. gentleman now state, that he had a month ago informed the House of the scarcity of grain in Ireland, and had recommended the measure which he now proposed. He would appeal to every gentleman who was present in the House, on the former discussion, he would appeal to the right hon. gentleman's own friends who sat around him, whether that was a correct representation of what passed upon that occasion, and he would ask further, whether not only the right hon. gentleman but all the gentlemen on the other side of the House, with one single exception, had not expressly concurred in the statement which he (Mr. Pole) then made, viz. that though there was considerable pressure felt in many parts of Ireland on account of the high price of provisions, it arose not from an actual scarcity, but from the interruption which had taken place in the intercourse between different parts of the kingdom? Was then the right hon. gentleman justified in coming down to the House and preferring such heavy charges against the Irish government, and in censuring him (Mr. Pole) for not paying proper attention to a statement which was never made, and for not complying with advice which was never given. It might be supposed from the manner in which the right hon. gentleman had introduced this subject, that he really believed that the Irish government had taken no pains to ascertain the actual state of provisions in Ireland, and that they had totally neglected that most important part of their duty; it was impossible to conceive a charge more completely destitute of foundation. The government of Ireland had directed its attention to this subject with the most anxious solicitude. That government did

not, indeed, think it necessary when the first alarm was felt respecting the high price of provisions (arising from the cause which he had stated) to take in the first instance, a measure so injurious to the commercial interest of Ireland, and one which would give such a blow to the revenue as to stop the distilleries, but when it was found to be necessary, the Irish government did not lose a moment in resolving upon the measure, and he came down yesterday to give notice of his intention to move for a Bill to stop the distilleries. The right hon. gentleman might suppose that he had given that notice in consequence of the previous one given by the right hon. gentleman, but that was not the fact; for he had sent notice to Ireland last Saturday of his intention to move for the Bill precisely on the very day on which the right hon. gentleman, who had just come from Ireland prepared with full information upon the subject, thought it right to propose the measure. Was it then fair or candid, he asked again, for the right honourable gentleman to come down to that House and accuse the Irish government of inattention to one of the most important parts of their duty? When this subject was before under the consideration of the House, he communicated all information of which the Irish government was in possession, that information was corroborated by all the Irish gentlemen in the House, who also approved of the conduct of the Irish government in not stopping the distilleries, with the exception, as he had before stated, of one single gentleman. It was at that time agreed on all sides of the House, that the high prices of provisions in Ireland arose not from any real scarcity, but from the great market which had been opened for the grain and spirits of Ireland. He did hope at that time, that the measures which were adopted would have the effect of lowering the prices, or at least of preventing them from rising; in that hope he was disappointed, and it therefore became necessary to have recourse to the strong measure of stopping the distilleries. Mr. Pole then entered into a comparative view of the difference of prices in 1801, a year of considerable scarcity, and 1812; and admitted that they were, generally speaking, higher at the latter period: but he begged to remind the House that the price of every article had increased since 1801, and therefore it was not to be inferred that because grain or potatoes were dearer now

than they were in 1801 that therefore there was an actual scarcity, because there had been a considerable change in the value of money since that time. It was also to be recollected, that the price of labour had encreased above one half since 1801; and he could not but hope, that the present high prices of provisions would induce the gentry and farmers in Ireland still further to increase the wages of their labourers, which certainly were inadequate, so that some good might come out of this evil. Mr. Pole then adverted to the assertion of the right hon. gentleman, that there was an actual scarcity in Ireland; and contended, that it was very greatly over-stated. With respect to Dublin, where a very considerable pressure was felt, he begged to inform the House, that very considerable supplies had recently reached that city coastwise, (to prove which, he read a letter from Mr. Middleton the clerk of the market) and he was happy to add that those supplies were progressively increasing. With respect to the county of Cork, a part of Ireland where the greatest apprehensions were entertained, it appeared from a report most admirably drawn up, that those apprehensions are unfounded. The right hon. gentleman had stated in the county of Clare potatoes had risen above the average price, it was true that the price of potatoes had risen, but he could state upon the most indisputable information, that there was not the smallest ground for apprehending a scarcity either of grain or of potatoes in that county. Mr. Pole then read a letter from Mr. Hamilton, agent to the duke of Leinster, a gentleman of the greatest respectability, and whose means of obtaining information were most extensive. He was not, he confessed, authorised to make use of that gentleman's name, but he had too high an opinion of his character to suppose that he would put his name to any statement which he would be unwilling to avow. That gentleman stated, that in the county of Kildare (which the right hon. gentleman represented to be in a state of famine) there were plenty of potatoes, that grain was dear, but that oats had on the last market day fallen seven shillings a barrel. Mr. Pole then read a letter from Limerick, dated the 14th November, which stated, that there were abundance of potatoes, and that orders had been received and were about to be executed for several thousand barrels of oats for Scotland, Spain, and Portugal, and yet Limerick was one of the

counties in which the right hon. gentleman said there was a scarcity. In the King's County there were great quantities of wheat and oats. He should like to ask his honourable colleague (Mr. Parnell) whether he agreed with the right hon. gentleman respecting the scarcity which he stated to exist in the King's County; he was sure he could not. In Kilkenny, oats had fallen at the three last market days; and a committee which had been appointed to examine into the state of provisions in that county, had reported that there was no ground for apprehending a scarcity. In addition to all this, he begged to state, that he had received a letter from one of the governors of that most extensive and excellent charity, the House of Industry in Dublin. The consumption of provisions in the House of Industry might naturally be supposed to be very great, when it was known, that upon an average 3,000 persons were daily fed in it. The gentleman to whom he alluded had lately been upon a tour into different parts of Ireland with a view of purchasing provisions for the use of the charity of which he was a governor; and it was his decided opinion, founded upon observations which he had carefully made during the course of that tour, that there was no real ground for apprehending that there was an actual scarcity of provisions in Ireland. The fact was, that the crops in Ireland were far from being deficient, and if her export trade had not encreased to such an extent, there would not have existed the smallest alarm about scarcity; nor would it have been necessary to stop the distilleries. He appealed to the House, whether with all this various mass of information before them, the Irish government would not have been culpable, if it had upon the first appearance of a great increase in the price of grain, immediately had recourse to the strong measure of stopping the distilleries, and thereby injuring both the trade and the revenue of the country, without taking pains to ascertain whether there were or were not real grounds for alarm. The Irish government would have very ill discharged its duty, if it had acted from information derived from one or two quarters, or if it had given way to the clamours of a mob. The government was bound to obtain information from every quarter; to investigate, to analyze and compare the whole; and to form its determination upon the general result. Such was the conduct which the

Irish government had pursued, and he trusted that it would meet with the approbation both of the House and of the country. The Irish government had not acted rashly or precipitately, it had proceeded gradually to apportion the relief to the evil as it increased, but it now felt that it could no longer, consistently with its duty, delay having recourse to the strong measure of proposing to stop the distilleries. The Irish government was neither inattentive to the duties it had to perform, nor ignorant of the responsibility under which it acted. It was neither guided by partial information, nor influenced by clamour; and it would have been no more justified in having recourse to the strongest measure in the first instance, than it would be in not adopting it, now that its necessity became apparent. The right hon. gentleman had censured the measure which he (Mr. Pole) had recommended, of prohibiting the exportation of spirits from Ireland to foreign parts, and had represented it as being useless and absurd; but he contended, that to keep in the country a large quantity of spirits for home consumption that were destined for exportation, must necessarily lessen the quantity to be distilled, and of course diminish the consumption of grain. The right hon. gentleman had stated, that there was no export of spirits from Ireland to foreign parts; where the right hon. gentleman got his information he did not know, but most undoubtedly it was completely erroneous. He had stated upon a former occasion, that this export trade of Ireland was in its infancy, but in the month of February alone it amounted to above 220,000 gallons, which was rather more than one-fourth of the whole quantity of spirits distilled in that month. How then it could be contended, that the prohibition of such a large export would not lessen the quantity of spirits distilled, he would leave to the right hon. gentleman to explain. The right hon. gentleman had stated, that several cargoes which had been shipped for Spain and Portugal had been brought back again, and several applications had been made by merchants to the Board of Customs for leave to reland their cargoes. Here again the right hon. gentleman had been completely misinformed, no such cargoes had been brought back, no such applications had been made. One cargo that had been shipped for Guernsey had indeed been brought back, because it was found that the spirits could be sold at a

better price in Dublin. Unless, therefore, the right hon. gentleman could shew, that one cargo from Guernsey was several cargoes from Portugal, his statement and the argument he had built upon it fell to the ground. He now begged leave to advert to a charge which the right hon. gentleman had made against him, and which was as extraordinary as it was unfounded. The right hon. gentleman had said, that he (Mr. Pole) wished to rival his predecessor, by doubling the duties on spirits. He should be most unworthy of the situation which he had the honour to hold, if he could be actuated by such a motive. He wished, indeed, he could rival Mr. Foster in talents, in information, in experience, and in every quality that was necessary for the office which he had the honour to hold. That was the only species of rivalry which he wished to enter into with Mr. Foster, a man who was an honour and an ornament to his country, who was one of its best friends, and one of the best men, and one of the truest patriots it ever produced. The right hon. gentleman knew little, indeed, of him, if he could suspect him of being actuated by any unworthy motives of rivalry towards Mr. Foster.—The right hon. gentleman, however, disapproved of the increase of the duty upon spirits; he supposed that the right hon. gentleman did not know how the proposition for doubling the duty had been received by his friends who sat around him, that they had expressed the strongest approbation of it, as a measure calculated to improve the health, the morals, and the industry of the people of Ireland, and that it had not met with one dissentient voice in that House. Mr. Pole then adverted to that part of the right hon. gentleman's speech which related to the propriety of proceeding by proclamation rather than by Bill, and entered into a detailed account of the process under which the grain went previous to distillation, in order to shew that a considerable portion of the stock of grain which the distillers had, could not be rendered serviceable for consumption as food, even if the distilleries were immediately stopped. He contended, therefore, that it would be as useless to the country as it would be oppressive upon the distillers to stop them immediately. He should recommend the adoption of the plan which had been followed in this country on a similar occasion, and should propose to stop the distilleries on the 4th of next month, by which

time the distillers would be able to work off the grain that was in a state of preparation, and to allow them a fortnight to work off their worts and wash.—He wished before he sat down to notice another inaccuracy in the statement of the right hon. gentleman, who had said, that 50,000 barrels of grain were used weekly in the distilleries; the actual consumption did not exceed 35,000 barrels a week. He wished also to take this opportunity of doing justice to the Irish distillers, who had uniformly conducted themselves in the most exemplary manner, ever since his attention had been directed from his official situation to their proceedings, and he should have acted most unjustly towards them, if, to gain a little popularity, he had put an immediate stop to the distilleries. He never would propose a measure that appeared to him to be unjust and oppressive, to gratify public clamour, or to acquire popularity for himself. He should conclude what he had to say, by asking the right hon. gentleman, why, if he thought three weeks ago that this measure was necessary to preserve Ireland from a famine, he had not come over, and stated his opinion to the House; or at least, why he had not written over to some of his friends upon the subject? But he supposed the right hon. gentleman had some duty to perform, which he considered paramount to that of attending to the distresses of the people of Ireland. Mr. Pole concluded with moving, as an amendment to the right hon. gentleman's motion, to leave out all the words after the word "that," and to insert these words: "That leave be given to bring in a Bill to revive and continue, for a time to be limited, so much of the Act of the 49th of the King, for the prohibition of the distillation from grain, as referred to that part of the United Kingdom called Ireland."

Mr. Ponsonby did not think it would be safe to allow so long a period for the distillers to work off that part of their stock which was on hand, and which could not be applied to human food. No longer time should be allowed than was actually necessary for the passing of the measure. From the information he had received from undoubted authority, the state of the country was most alarming. This was a fact which could not be disguised; and those who had informed the right hon. gentleman that the contrary was the case, were induced so to do, merely from interested motives, and with the intention of deluding and misleading him.

Sir J. Newport said, the delay proposed by the right hon. gentleman would only tend to keep out of the market that grain which was absolutely necessary for immediate consumption. Any such delay, therefore, was strongly to be deprecated.

Mr. Shaw observed, that it was utterly impossible for the distillers to work off their stock on hand in a less time than that proposed by the right hon. gentleman. They could not take any improper advantage, or make any new purchases by such an arrangement.

Mr. Stewart declared his approbation of the amendment, and conceived that no more time was proposed to be allowed to the distillers than was actually necessary to work off their present stock.

Mr. Parnell felt considerable doubt, whether, even supposing there was a scarcity, the stoppage of the distilleries would have any good effect.

Mr. O'Dell said, he had just arrived from Limerick, and that there was no scarcity dreaded in that part of the country, as potatoes never were more cheap or more abundant.

Mr. Hutchinson agreed that every measure ought to be taken to prevent the consumption of grain, and for the support of the population of the country; at the same time, the House ought to be cautious how they injured so respectable a class of people as the distillers of Ireland, more than was necessary. A clause could easily be introduced, to allow them to make use of such grain as was in their possession, and so prepared as not to be fit for any other use.

The original motion was then put and negatived. The amendment was carried, and leave given to bring in the Bill. Mr. W. Pole then brought up the Bill, which was read a first time, and ordered to be read a second time to-morrow.

HOUSE OF COMMONS.

Wednesday, April 22.

The Gallery was not opened for the admission of strangers until six o'clock, in consequence of the enforcement of the Call of the House, which occupied two hours. Defaulters were ordered to be called over to-morrow; also, that the House be called over again on this day sevensnight.

PETITIONS FROM THE SHIP OWNERS OF LONDON, AND FROM BRISTOL, WATERFORD,

AND BELFAST, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several ship-owners in the port of London, was presented and read; setting forth,

"That the petitioners have, for some time past, observed, with very great regret, that ships and vessels built within the territories of the East India Company in Asia, have been admitted to registry in Great Britain, and, in consequence thereof, allowed to participate in the carrying trade of the country and its colonies; and that, if India-built ships continue to be admitted to British registry, and to participate in the carrying trade of the empire, the most injurious consequences will result to the maritime interests of the nation, and more especially so when the trade to the East Indies is opened generally to all his Majesty's subjects; and that the petitioners forbear to press on the attention of the House, by entering into any detail of observations on the impolicy of admitting India-built ships to the privileges of British-built ships, not only as affecting the interests of the petitioners, but also the landed, commercial, and manufacturing interests of the country, as well as those of the various classes of persons who are dependent on the building, repairing, and equipment of British-built ships: the petitioners, however, presume it will be admitted, on an impartial consideration of the subject, that to encourage the building and equipment of ships in Asia, for the purpose of being employed in the carrying trade of this empire, will be both impolitic and unjust: first, it will be impolitic, as the removal of a manufacture of such importance as the building and equipment of ships from this country to India (a manufacture of more importance than any other) will render more precarious the means of maintaining his Majesty's navy, and especially of fitting out with dispatch his Majesty's fleets on pressing emergencies, and will thereby undermine that great bulwark of our independence and greatness as a nation; and secondly, it will be unjust, as many of the stores and materials necessary to the building and equipment of ships in this country, are charged with considerable duties, and as the mechanics and others employed therein also, as well as the petitioners, contribute their proportion of the burthens imposed on the public from the exigencies of the state, to neither of which persons engaged as owners or builders of ships in Asia are subject or

liable; and that the petitioners respectfully submit to the House, that, from the heavy taxation of the country, there never was a period when it was so necessary to confine the carrying trade of the country to British-built ships, from the utter inability of the owners of them to enter into a competition with the owners of East India, or other foreign ships, upon terms at all like equality; and, for these and other reasons, which the petitioners flatter themselves must be obvious to the House, praying that, in future, East India-built ships may be prohibited by statute from being admitted to registry, and to the privileges of British-built ships."

A Petition of the mayor, burgesses and commonalty of the city of Bristol, was also presented and read; setting forth,

"That the petitioners, impressed with a deep sense of the great importance of, and the national as well as individual benefit which may be expected to arise from laying open to the capital skill and industry, and restoring the inherent right of his Majesty's subjects throughout the ports of the United Kingdom, to the full and free enjoyment of trade and commerce to all ports and places either in possession of, or in amity with his Majesty, observe, with the strongest feelings of regret, that a Petition from the East India Company has just been presented to the House, praying for a renewal of the charter granted in 1793; and that the petitioners observe, by the correspondence which has been carried on between the Chairman of the East India Company and the Commissioners for the Affairs of India, that the East India Company have conceded the general principle of a free trade from the out-ports of the kingdom to the East India settlements, still that their concession is coupled with propositions which (if adopted by parliament), must effectually exclude the merchants of this city, as well as those of every other part of the United Kingdom, except London, from any prospect of advantageous participation in the trade when so opened; and that it is a declared object of the East India Company to prevail upon parliament to continue in themselves the extensive possession of the British trade with China, under an apprehension that the greatest danger of quarrels, and the ultimate loss of the China trade, would be likely to ensue from a free commercial intercourse with that nation; whereas the experience of a long course of years, during which

the subjects of the United States of America have traded extensively with China, most completely sets aside all ground for such alarm; and that the petitioners humbly presume, that nothing can possibly tend, in a greater degree, to the increase of the revenue, and the prosperity of a nation, than the freedom of its commerce, and the general diffusion of the means of carrying it on; and that, from the recent and very extensive improvements which have been made in the harbour of Bristol, ships of very considerable burthen can receive and discharge their cargoes afloat, and the port is in every respect suitable for carrying on an extensive commerce with the countries comprized within the limits of the East India Company's present exclusive privilege, and the petitioners may add, with as much security to the due collection of the duties of customs and excise as in the port of London; and praying, that the House will not consent to a renewal of any of those exclusive commercial privileges which are contained in an act passed in the 33d year of his present Majesty, intituled, "An Act for continuing in the East India Company, for a further term, the possession of the British territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said Company, and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay;" but on the contrary, that at the expiration of that act, the trade to the east of the Cape of Good Hope, may be as fully and freely enjoyed by all his Majesty's subjects to and from every port of his Majesty's United Kingdom, as it is at present by the East India Company and the port of London exclusively."

A Petition of the merchants and traders composing the Chamber of Commerce of the City of Waterford, was also presented and read; setting forth,

"That the petitioners would appear inattentive to their own and the interests of their fellow subjects, if, at this time of the East India Company's Charter being nearly expired, they did not submit to the consideration of the House, whether the interests of the empire would not be greatly promoted by opening that important trade

to the public; and that, if it has been found, on long trial, that the East India Company have not been successful as merchants, and that the North Americans, acting as individual traders, have, of late years, been supplying the islands and various distant dependencies of this empire with East India commodities, the petitioners humbly hope it will appear evident to the House, that a large Company is not useful or necessary to the carrying on of the said trade; and that the operation and consequence of the monopoly granted to the said Company has been to favour foreigners in the exercise and pursuit of this extensive and lucrative business, totally excluding, and thereby greatly injuring the people of the United Kingdom; and the petitioners humbly beg leave further to state, that a free commerce with the immense population of the East, carried on under the prudent economical management of individuals acting for themselves, would be most likely to find a profitable vent for very increased quantities of the produce and manufactures of the United Kingdom, and would bring the articles from thence into the home market with such fair competition, that the public would greatly benefit thereby; and that the present unfortunate state of the continent of Europe renders it, at this period of time, peculiarly necessary to open all possible new sources of industry to the people; and praying, that the House will take the premises under their serious consideration, and grant such relief as to them shall seem meet.

A Petition of the sovereign burghesses merchants manufacturers and other inhabitants of the town of Belfast, was also presented and read; setting forth,

"That the critical state of the manufactures and commerce of the United Kingdom demands the attention of the legislature to adopt the most effectual measures, consistent with national honour, for their relief; and that, by the 33d of his present Majesty, the intire right of commerce and navigation in the seas and to the territories between the Cape of Good Hope and the Straits of Magellan is vested in the East India Company until the 1st of March 1814, when, if not renewed, it will become open to all the subjects of the British empire; and that, by the 37th of the same reign, the privilege of trading to those countries, although denied to British subjects, is permitted to foreign nations in

amity with his Majesty, which permission the United States of America have availed themselves of, to their very great profit and advantage; and that, whatever good reasons might have existed at a former period for granting this monopoly to the East India Company, no such reasons now exist, as the enterprize and capital of individuals, as well as of private companies of merchants, are at this time fully sufficient for carrying on trade and commerce to those distant regions; and that, at all events, no satisfactory reasons can be assigned against opening the trade to China, because the supposed delicacy of allowing an intercourse with that people is completely removed by the success which has attended the American traffic; and that the system of confining the East India trade to the port of London is unjust and impolitic; unjust, as it abridges the natural rights of other sea-ports, and impolitic, as the duties might be collected with equal ease, and with superior economy and dispatch, in such of the out-ports as paid a large sum of customs, and had a sufficient number of active and intelligent officers; and praying, that, when the charter of the East India Company shall expire, it may not be renewed, to the exclusion of the other subjects of the British empire."

The said Petitions were ordered to lie upon the table.

PETITIONS OF ROMAN CATHOLICS OF IRELAND.] Six Petitions of Roman Catholics—of the county and city of Kilkenny; the county of Roscommon; the county of Kerry; the city and liberties of Londonderry; the county of Clare; and the town and county of Carlow,—were presented and read; containing the same allegations and prayer as the Petition of several of the Roman Catholics of the Queen's County, in Ireland, which was presented upon Thursday last.—Ordered to lie upon the table.

Sir George Hill, on presenting the Petition from the Catholics of Londonderry, said; "It is my duty to present to this House a Petition from the Roman Catholics of the city and liberties of Londonderry, and I beg leave to take this opportunity of correcting a mis-statement which has appeared in the public prints of yesterday, namely, that I had declared it to be my intention to present a Petition against the Roman Catholic claims. On the contrary, I said I had received a Roman Catholic

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Petition to present from the city and liberties of Londonderry, and that Petition I now hold in my hand. It is true, Mr. Speaker, that I have the honour to represent a constituent body there, of nearly 1,000 voters, exclusively Protestants; and it is also true that I have not any Petition to present from them against the Roman Catholic claims, nor do I wish to receive from the Protestants of Londonderry any such Petition. I may be permitted, however, to know well what are the sentiments of my constituents; and, therefore, although I have every feeling of respect and kindness towards the subscribers to the Petition I hold in my hand, I cannot support its prayer. Our system in my part of the world has been, and I had hoped, would have continued to be, to let our Roman Catholic fellow-subjects urge their own claims, in their own way, without any active interference against them on our part out of parliament, and wishing that these claims should be submitted to a full and impartial discussion in parliament, and be decided there upon their own intrinsic merits. I did, therefore, on a former night, deprecate any assumption of fact which, I am convinced, is unfounded; such as, that a majority of the Protestants of the north of Ireland were favourable to the Roman Catholic claims; and which statement, I feared, would have the effect of promoting Protestant meetings, to declare their sentiments, and petition on the subject, against the Roman Catholic claims, and thereby interrupt conciliation and harmony between them and their Protestant neighbours, which ought to be objects with every good man to encourage. That I have adopted this principle in my own person with some effect, I trust, will appear evident from this Petition having been entrusted to my care, although I promised to the petitioners that I could not support their claims. I do, however, with confidence assure the House of Commons, that it is subscribed by a peaceable, industrious, and loyal body of Roman Catholics, and is well entitled to a respectful reception from this House."

PETITION FROM THE UNIVERSITY OF CAMBRIDGE AGAINST THE CLAIMS OF THE ROMAN CATHOLICS.] The Attorney General (Sir Vicary Gibbs) presented a Petition from the chancellor masters and scholars of the university of Cambridge, setting forth,

(3 A)

"That the petitioners, understanding that a Bill is intended to be soon offered to the House for the removal of the restrictions which are imposed by law on those who profess the Roman Catholic religion in the realm; and that they are fully convinced that the controul of any foreign power over the government of this country, either in Church or State, is inconsistent with the first principles of all civil government, and incompatible both with the most ancient form of our constitution and with that which was established at the Revolution; and that the power of the Pope, though for various reasons lessened in the public opinion, is notwithstanding more dangerous to us now than ever, being itself brought under the controul of a foreign and our most inveterate enemy; and that the petitioners, as members of a Protestant University, are more confirmed in their apprehensions of foreign influence, from the tendency which it is reported appears among some of the Catholic petitioners for the Bill, towards affecting the King's supremacy in the Church; and that the petitioners, as is well known, have never been adverse to liberty of conscience in religious or ecclesiastical matters, and they feel no uneasiness at the concession of any comforts to their Roman Catholic brethren, but they humbly implore the House to guard against the consequences of making any concessions which may endanger our present security in Church or State; and praying, that the said Bill may not pass into a law."

Ordered to lie upon the table.

HOUSE OF COMMONS.

Thursday, April 23.

PETITIONS FROM GLASGOW, RENFREW, DUMBARTON, LANARK, AND WEDNESBURY RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several merchants and manufacturers in the city of Glasgow, was presented and read; setting forth,

"That the petitioners have the strongest reasons to complain of that line of policy which has so long confined the commerce of India, China, and the other countries to the Eastward of the Cape of Good Hope, by charters of monopoly granted to the honourable the united company of merchants of England trading to the East-Indies; and they are fully persuaded that every grant of this nature has retarded

the national improvement; and that, as the right of all British subjects to a free trade, on an equal footing, is undoubted, that the abandonment of that right in any degree, however small, or for any period, however short, can never be done without producing consequences highly prejudicial to the nation; and that the regulations which have hitherto given to the port of London the whole trade of the East, appear to the petitioners to be contrary to the rights of British subjects, and to those principles of liberal policy by which this nation is governed; and praying, that no exclusive grant may be given of the trade to the Eastward of the Cape of Good Hope, and that the commerce with those countries may not be confined to any particular port in the United Kingdom, but that the House will adopt such measures as will restore and secure to the petitioners that commercial freedom and those equal privileges to which, as British subjects, they have an undoubted right."

A Petition of the provost magistrates and town council of the royal burgh of Renfrew, was also presented and read; setting forth,

"That in the present situation of the commercial and manufacturing interests of these kingdoms, the industrious mechanics and labourers are under great distress, which the petitioners humbly conceive would be greatly ameliorated by granting a free trade to India from all parts and ports of the nation; and that the abolition of the monopoly of the East-India Company would be an act of justice putting the trading part of the empire on an equal footing, and opening additional sources of wealth and prosperity to the empire at large; and praying the House to adopt such measures for abolishing the monopoly and opening a free trade, as to them shall seem expedient,"

A Petition of the provost magistrates and town council of the royal burgh of Dumbarton, was also presented and read; setting forth,

"That the petitioners beg leave respectfully to convey their wishes, in common with those of every part of the empire on the subject of the approaching expiration of the East India Company's Charter; and that the experience of ages evinces, that monopolies are hurtful to the general interests of commerce, and the circumstances of the times also call for the exercise

of a free trade to the East Indies as a measure which, in a peculiar degree, will counteract that war on our commerce, the effects whereof the British merchants have borne the more cheerfully, in the expectation of being allowed a participation in a traffic to a quarter out of the reach of the enemy; and that this new branch of trade the petitioners have no doubt would afford ample scope for the exertion of the skill and enterprize of merchants, and render the present restraints on commerce in a great degree unfelt; and praying the House to adopt such measures as may render it lawful for any of his Majesty's subjects, after the expiration of the East India Company's present charter, to carry on a free and unlimited trade from any of the ports of the United Kingdom to the British possessions in India, and from thence to such particular ports in the United Kingdom, as the wisdom of parliament may see proper."

A Petition of the provost magistrates town council and deacons of the incorporations of Lanark, was also presented and read; setting forth,

"That, in consequence of the unfortunate state of the commercial and manufacturing interests of the country, thousands of industrious workmen have recently been thrown out of employment, and reduced from a life of labour and happiness to one of idleness and misery; and that, in the opinion of the petitioners, the granting a free trade to India, or the abolition of the exclusive privilege vested in the East-India Company, would be a measure not admirably adapted for removing those evils under which the empire at present labours, but also an act of justice, in so far as it would communicate to the British subject that permission to trade which, by 37 Geo. 3 c. 57, has alone been extended to the subjects of foreign nations in amity with his Majesty; and that, in the firm persuasion that the right to trade ought to be declared to belong alike to every subject of the British empire, and for that reason hostile to every species of monopoly, the petitioners are, if possible, still more decidedly inimical to that system of policy which, while it establishes an exclusive privilege in one body of merchants, gives room for the enterprize of the foreigner, but shuts the door against the exertions of the British trader, or at least, by means of numerous and complicated restrictions, leaves those exertions

almost, if not entirely, without their reward; and that, in these circumstances, the petitioners cannot contemplate the abolition of the exclusive privilege, and the permission of a free trade to India, otherwise than as a measure of the utmost importance and propriety, as admirably calculated at once to impart new life and animation to our trade and manufactories, to give employment to thousands of industrious and useful workmen, at present reduced to idleness and consequent poverty, to serve as an excellent nursery of seamen for our navy, and at the same time to augment the resources, and to increase and insure stability to the prosperity of the British empire; and praying the House to adopt such measures as to them may seem necessary for accomplishing the abolition."

A Petition of several inhabitants of the town of Wednesbury, in the county of Stafford, and its neighbourhood, was also presented and read; setting forth,

"That the petitioners contemplate, with deep concern, the present state of the manufactures of the United Kingdom, which requires the most proper and effectual measures for relief; and that, without shrinking from the burthens and privations necessary to support the state, and the arduous conflict in which this country is engaged, they hold it to be equally as just as it is expedient, that all honourable means, and principally the means which are within the power of this country, should be used to lessen those burthens and privations as much as may be, and at the same time to counteract that odious but darling policy of an inveterate enemy, which he has so long and steadily pursued, with the view of accomplishing the ruin of this kingdom, by distressing its manufactures and commerce; and they humbly represent, that British subjects have an undeniable right to trade to every part of the British dominions, and that this right, however obstructed, can never be destroyed; and that the charter granted to the East India Company has led to and established a fact as much at variance with reason as with justice; viz. that, whilst the subjects of a foreign power have been permitted to carry on trade with part of our possessions, subjects of this kingdom have been excluded; and they are of opinion, that it is impossible for any joint stock company to carry on trade to any thing like the ex-

rent and advantage that private merchants might do; and that the example of individuals, subjects of the United States of America, has proved the practicability of carrying on a most extensive and lucrative trade to the East without the assistance of any joint stock company; and the petitioners humbly represent, that all monopolies are unjust in principle, and injurious in practice, operating as restraints upon individual industry and enterprise; and that, in the present state of the world, it is necessary to abolish the commercial monopoly of the East India Company, in order to open to the manufactures of this kingdom those immense markets which it possesses beyond the power and influence of the enemy; and praying the House to take such measures for the total abolition of the injurious monopoly of the East-India Company, at the end of the present charter, as to them shall seem proper."

The said Petitions were ordered to lie upon the table.

PETITION OF DISSENTING MINISTERS FOR LIBERTY OF CONSCIENCE.] Mr. William Smith presented a Petition from several Protestant Dissenting ministers in and about the cities of London and Westminster, setting forth,

"That the petitioners, conceiving the right of worshipping God according to the dictates of their own consciences to be derived from the Author of their being, and confirmed by the Founder of their Christian faith, and, therefore, not to be subject to the controul of human authority, cannot but regard with deep concern those statutes which restrain and limit the exercise of this right, and impose conditions and penalties, that seem to them as unjust in their principle as they are injurious to the vital interests of true religion; and that they consider those statutes as originally designed to guard against evils which no longer exist, and as expressive of sentiments, with regard to the nature and extent of religious liberty, which no longer prevail, at a period when the subjects of the British empire, however they may differ with regard to the principles of their religion, and their mode of professing it, concur in a cordial attachment to the family on the throne; and, when enlightened views of religious liberty, and a corresponding liberality of spirit, have been diffused among religious professors of all denominations; and that the petitioners, expressing their lively gratitude for the

concessions made to their religious rights in the course of the present reign, earnestly but respectfully pray, that every remaining penal statute which extends its operations to the province of religion, may be repealed; and that, whilst they conduct themselves as loyal, obedient, and peaceable subjects to the state, they, in common with all their fellow citizens, may be put in possession of complete religious freedom, and allowed to worship their Maker, and maintain their Christian profession, according to their own views, and their incumbent duty, without being subjected to any penalties or disabilities in consequence of their dissent from the Established Church; and that the petitioners, confiding in the wisdom and justice of the House, pray that their case may be taken into consideration, and the relief granted to them which they supplicate."

Ordered to lie upon the table.

MR. GRATTAN'S MOTION FOR A COMMITTEE ON THE CIVIL DISABILITIES OF THE ROMAN CATHOLICS.] The order of the day being read for taking into consideration the State of the Laws, imposing Civil Disabilities on his Majesty's Roman Catholic subjects,

Mr. Grattan rose and said:

Sir; I have changed the question, and instead of a committee to consider the Petitions I propose to move for a committee to revise the laws. Thus every person who thinks that redress should be administered, whether in a greater or less degree, whether by applying to the executive power to take a leading part in the business, (as was the opinion of a right hon. gentleman, whose opinion deserves every consideration,) or by proceeding ourselves to administer relief, must, I say, concur in this motion.—The present powers of England chiefly regard Ireland and America; your efforts in other places must be chiefly influenced by fortune, but here you can arbitrate your own destinies; here wisdom may save, or folly may undo: and if you err here, you lose deliberately, and by your own fault, your strength in the new world, and your anchor in the old.

The question I shall propose is a new one; it was hitherto debated upon the circumstance, it is on the principle you are now to decide. The doom of Ireland lies before you; and if you finally decide against her Petitions you declare that

three-fourths of the Irish, and one-fourth of the empire, shall be disqualified for ever. When you say we will not accede to the wishes of Ireland now, and advance no reason which must not always exist, you mean never, though you did not say "never," because you cannot give to the tremendous sentence its proper denomination—a sentence abominable, unutterable, unimaginable.

The sentence purports to disqualify for ever three-fourths of the people of Ireland for adhering in their own country to the religion of their ancestors; recollect that Ireland is their country, and that your power in that country is founded on her liberties; that religion is their right, and the gospel is their property;—revelation is the gift of God, given to man to be interpreted according to the best of that understanding which his Maker has bestowed. The Christian religion is the property of man, independent of the state: the naked Irishman has a right to approach his God, without a licence from his king; in this consists his duty here, and his salvation hereafter; the state that punishes him for the discharge of that duty, violates her own; and offends against her God, and against his fellow-creature; you are the only civilized nation who disqualify on account of religion.

I allow that where religion is accompanied with any circumstance that tends to disaffection, the state has a right to interfere; but in that case, it is not the religion that the state touches, but the disaffection, and here that circumstance does not exist, because here we have practical proofs of allegiance; you have read the public papers, you have seen the Gazette: with every repugnance to enquire into the state of the people of Ireland, there are some things which you must know; you know they are fighting and dying in your service, and in this knowledge you learn the falshood of the calumnies which were once offered against their pretensions; and what is more—Oh shame to relate it! admitted as evidence; their opponents said that no Irish Catholic could be loyal to a prince of the House of Hanover; they said, that the Irish Catholic must ever hate an Englishman. They were not aware that they implied that the British government had made itself hated in Ireland, and had misgoverned our country from the beginning; they said that the Pope claimed in these realms a temporal power, that he claimed a deposing power, that he

claimed a power to dispense with moral obligations; they said that oaths did not bind the Catholic, and that Protestants and Catholics could never amalgamate; their charges were calumnies, the common calumnies of a scolding sect; they were received as evidence notwithstanding, they were answered by the impossibility of their truth; had they been true, the Christian religion could not have existed an hour; had they been true, the Catholic states must have come long ago to moral and political dissolution: they were also answered, (they need not have been answered,) by six Catholic universities, Paris, Douay, Alcalá, Valladolid, Louvain, Salamanca, the best authority upon the subject. I need not refer to the answers, they refuted their calumniators, to silence them was impossible; they state that the Pope had no temporal power in these countries; they state that he has no deposing power, and regarding the charge of no faith with heretics, they repel the imputation with horror and contempt. These charges are also refuted by the oaths of the Catholics, which the Protestant legislature had made the test of their loyalty. See the oath of 1793; and by another, by the best possible answer, by an answer that sets misinterpretation at defiance, and refutes false logic by sound fact;—by the practical allegiance of the Catholic: you have that evidence before you, you see it in the dispatches which recite your battles; you yourselves, without knowing, have decided upon the fact. What are your votes of parliament returning thanks to the Catholics in the army and navy? What are they but the verdict of the English parliament in favour of their allegiance? But those votes of parliament that pronounce the Catholic to be innocent, pronounce the legislature that disqualifies them to be guilty. Here stand, on one side the parliament, with a penal sentence in its hand, and on the other, the Catholic, with an acquittal by that very parliament; thus under your own authority is the Catholic acquitted, and the parliament convicted.

With this practical evidence of their allegiance, and this your own seal and sanction, you have divers Protestant Petitions in their favour; these Petitions are prayers for their privileges, and evidences for their character: and, first, where are the Petitions against them? Where are the Petitions from the city of London? Where are those instruments that were to have overlaid your table? Your countrymen have

not come here to mock the calamities of the state, by Petitions to defend England at this perilous moment against the Pope and his seven sacraments; they have not aggravated the calamities of the state, by denouncing an eternal hostility to the civil privileges of three-fourths of the people of Ireland: they have not petitioned for the perpetual weakness of the empire, by demanding an everlasting separation of interest.—The Church too; I have not seen, in any great degree, its interference; I have not heard the ecclesiastical horn of discord and sedition. Where are the ministers of the gospel, who have left their God to follow the court to damn their fellow creatures for pay? Where are the numerous pulpits blasted by the flag of ecclesiastical prostitution? Instead of one religion damning another for stipend and promotion, in the person of dull divines, instead of an ill advised-people coming down to Parliament with Petitions against their fellow subjects, in the character of mad metaphysicians, I see but three Petitions against the Catholics.

I see, on the other hand, the address of the livery of London, with a clause, expressing a desire that civil disabilities should be removed. I see the sense of this the great capital favourable, or not adverse to Irish liberty and English justice. I see wisdom and justice, truth and security, speaking in the voice of many thousand Englishmen, petitioning in their favour. I see a Petition from the Protestants of Ireland, denominated a Protestant Petition, and signed by the greater part of the Protestant proprietors in Ireland. That Petition, unaccompanied by any counter Petition, may be called the Protestant interest of Ireland. The first name is Mr. David Latouche; that gentleman had originally voted against the Catholics: but seeing the changes of time, and weighing well the public exigency, he now comes forward in their favour: ever a foe to violence; and checking, by turns, the errors of the crowd, and the crimes of the court, independent equally of the king and the people, aloof from all party, and attached solely to the public good, he asserts to the last the integrity of his character; and gives the authority of his name, and his house, to the service of his country. You have, in addition to this, the names of the house of Leinster, of Ormond, &c.

You have the Protestant merchants, the Presbyterians, and coupled with the Ca-

tholics, this Petition may be said to comprehend the property and population of Ireland; in fact, the Petition of Ireland lies upon your table. I congratulate my Protestant brethren in Ireland; they have asserted the true principles of the gospel, they have asserted the principles of civil liberty, and they give a warning voice to the British empire. If any misfortune should happen, they must share the evil, but they avoid the dishonour.

Before you dismiss the Petitions, let us see who is the petitioner. The kingdom of Ireland, with her imperial crown stands, at your bar; she applies for the civil liberty of three fourths of her children. She pays you in annual revenue about six millions; she pays you in interest of debt about three; in rent of absentees about two; and in commerce about ten. Above twenty million of money is comprehended in that denomination called Ireland, besides the immeasurable supply of men and provisions; you quadruple her debt, you add three-fold to her taxes, you take away her parliament, you send her from your bar without a hearing, and with three-fourths of her people disqualified for ever. You cannot do it; I say you cannot finally do it. The interest of your country would not support you; the feelings of your country would not support you: it is a proceeding that cannot long be persisted in. No courtier so devoted, no politician so hardened, no conscience so capacious; I am not afraid of occasional majorities. I remember, in 1782, to have been opposed by a court majority, and to have beaten down that majority. I remember, on a similar occasion, to have stood with twenty-five, opposed to a strong majority, and to have overcome that immense majority. A majority cannot overlay a great principle. God will guard his own cause against rank majorities. In vain shall men appeal to a church-cry, or to a mock-thunder: the proprietor of the bolt is on the side of the people.

Should you however, finally resolve upon such a measure, such a penal sentence, recollect how much you will be embarrassed by engagements; recollect the barrier is removed that formerly stood against the measure I propose. However we may lament the cause, we must acknowledge the fact, and perceive, that the time is now come, in which the Catholics were to expect a gracious predilection. They were taught to expect that their

wounds would be healed, and their disabilities were to cease; that a great deliverer was on his way, that would wipe the tears of the Irish, and cast upon the royal family a new ray of glory everlasting. They gave themselves up to a passion that was more than allegiance, and followed the leading light that cheered their painful steps through the wilderness, until they came to the borders of the land of promise; when behold the vision of royal faith vanishes, and the curse, which blasted their forefathers, is to be entailed upon their children. In addition to this immeasurable disappointment, you must consider another—you may remember the Union.

Without enquiring whether the repeal of Catholic disability was actually promised, it was the expectation of the measure which carried the Union. It is the price for the Union; and an essential part thereof: you will now pay the purchase of that measure. National honour is power, in trade it is capital, in the state it is force. The name of England has carried you through a host of difficulties; we conjure you by that name to accede to these Petitions; should you finally refuse, you repeal the Union; you declare the Irish and the English to be a distinct people; you not only declare it, but you do it; you dissolve the incorporation; they were kept together by hope, and you divide them by despair; you make them two distinct nations, with opposite and with hostile interests; the one with civil privileges, the other without; the one in the act of disqualifying the other; the oppressor and the oppressed.

The idea of the union is two-fold; a union of parliament, and a union of people. I see the union of Parliament; and in that I see the measure which makes the legislature more handy to the minister; but where are the people? Where is the consolidation? Where is the common interest? Where is the heart that should animate the whole, and that combined giant that should put forth his hundred hands for the state? There is no such thing; the petitioners tell you so; they tell you that it is impossible such a policy should last; a policy that takes away the parliament of Ireland, and excludes the Catholics from the Parliament of England; a policy that obtained the Union by the hope of admission, and now makes the exclusion everlasting.

The Catholics now come to you; they

have brought their Protestant neighbours along with them, and they both call upon you for the civil capacities of the Catholics, and for the integrity of the British empire.

Thus you perceive, it is no longer a question between the different sects of Ireland, no longer a question regarding the security of the Protestant property or the Protestant Church. Far from looking for that security in civil disqualifications, they deprecate those disqualifications, as their principal danger, and they reduce the subject to a question between the people of Ireland, and the ministers of the crown.

So it now stands: but should you wish to support the minister of the crown against the people of Ireland, retain the Union and perpetuate the disqualification, the consequence must be something more than alienation. When you finally decide against the Catholic question, you abandon the idea of governing Ireland by affection, and you adopt the idea of coercion in its place. National disqualification, national litigation, informations, attachments, an angry press, an angry prosecution. Errors on both sides: men discharged for their virtuous sentiments in favour of the people; such was the case of Mr. Stanhope; domestic feud added to foreign war; such must be the situation of Ireland; a situation which is nothing more nor less than preparation to render the Irish mind completely hostile to Great Britain. This misfortune will be very great to both of us. In what particular way it will break out I know not, but I know it will be ruin; when I say ruin, you must know I mean ultimate separation, separation either in fact, or separation in disposition; either will undo us. Nature protests against it: France, with all her powers, could not achieve it, civil disqualification may. We shall first be destroyed, and your gorgeous empire will follow; you are ruined by the hostility of Ireland, you are ruined by her neutrality. You are therefore pronouncing the doom of England. You, opposed to the population of France, with all her appendages; you, with only sixteen millions of inhabitants, strike out of actual operation four. Never was an instance of human insensibility so fatally displayed. The mad Athenian, when he disqualified for a few bushels of corn a part of his fellow citizens, was not so frantic. The mad Greek who, in the last moments of his existence, refused the assistance of the west, damned

the cardinal, and gave up his empire, was not more frantic.

A nation fighting for her existence, a wise nation, a civilized nation, striking out of operation one-fourth of her people, deliberately, in her senses, for no reason. The Eucharist is no reason, the worship of the Virgin Mary is no reason; arguments of public scorn, if they were not the cause of public ruin;—without any cause, except we suppose that the hand of death precipitates the empire. I say you are pronouncing the doom of England. If you ask how the people of Ireland feel towards you, ask yourselves how you would feel towards us, if we disqualified three-fourths of the people of England for ever. The day you finally ascertain the disqualification of the Catholic, you pronounce the doom of Great Britain. It is just it should be so; the king who take away the liberty of his subjects, loses his crown; the people who take away the liberty of their fellow subjects, lose their empire.

The gentlemen who are invited by the call, think, perhaps, they are presiding over a few penal laws affecting the Irish, or exercising a lazy tyranny in the easy chair of pride and security: depend upon it they are mistaken. You are presiding over the fame and fortune of that great renowned empire called Great Britain: the scales of your own destinies are in your own hands; and if you throw out the civil liberty of the Irish Catholic, depend on it, Old England will be weighed in the balance, and found wanting: you will then have dug your own grave, and you may write your own epitaph—"England died because she taxed America, and disqualified Ireland."

It is worthy to enquire, how many rights you violate in order to destroy yourselves and your fellow subjects. You assume a right to make partial laws, or laws against the very principles of legislation. You govern one part of the society by one code, and the other by a distinct one. You make laws as arbitrary as they are partial, that is to say, you disqualify one part of the society for differences, not more essential in a political point of view, than colour or complexion: as if you should say, no man shall be a general, who has black hair; no man shall be a member of parliament, who has brown. You not only make partial and arbitrary laws, but you invade the sacred right of religion; and you with a sentence which is

eternal, invade the sacred cause of liberty.

Tell them they must extend their constitution to their empire, or limit their empire to their Church establishment.

They say you have a power to regulate qualifications; that is, you are a trustee for the privilege; but if under pretence of regulation you destroy the privilege, you exceed your power and violate your trust. Thus, if you enacted, that no man who had less than 3,000*l.* a year should be a member of parliament, you would disqualify the people of England, and break your trust. Thus when you, on the pretence of regulation, forbid the Catholics to sit in parliament, you disqualify a great part of the people of Ireland, and break your trust.

It is said, parliament may do partial ill for the general good. Yes; but the majority cannot take away the liberty of the minority, for this never can be the general good: still less can the minority, as in the case of Ireland, take away the liberty of the majority; that would be a breach of the principle, by which the society is compacted. You cannot rob one part of the society of her property, to enrich the community; still less can you rob one part of the society of her liberty; and least of all can you do that in the case of Ireland, which is connected with England, as that liberty is protected.

When the general good means the existence of the state, there the ruling power may abandon a part to save the remainder. But what is understood by the general good in its modern application? It means power, as opposed to liberty: such was the case in the American Stamp act, such was the case of the British statutes that restrained the trade of Ireland; such is the case now, it is the power of one sect over the privileges of the other: and what is that but the disqualification of the part, and the dismemberment of the whole. Whenever one sect degrades another, on account of religion, such degradation is the tyranny of a sect. When you enact, that, on account of his religion, no Catholic shall sit in parliament, you do what amounts to the tyranny of a sect. When you enact that no Catholic shall be a sheriff, you do what amounts to the tyranny of a sect. When you enact, that no Catholic shall be a general, you do what amounts to the tyranny of a sect. There are two descriptions of laws: the municipal law, which binds the people; and the law of God which binds the par-

liament and the people. Whenever you do any act which is contrary to his laws, as expressed in his work, which is the world, or in his book, the Bible, you exceed your right; whenever you rest any of your establishments on that excess, you rest it on a foundation which is weak and fallacious; whenever you attempt to establish your government, or your property, or your church, on religious restrictions, you establish them on that false foundation, and you oppose the Almighty; and though you had a host of mitres on your side, you banish God from your ecclesiastical constitution, and freedom from your political. In vain shall men endeavour to make this the cause of the Church; they aggravate the crime, by the endeavour to make their God their fellow in the injustice. Such rights are the rights of ambition: they are the rights of conquest: and in your case, they have been the rights of suicide. They begin by attacking liberty; they end by the loss of empire.

In all matters where the legislature interferes, you will take care to distinguish between nomination and eligibility. Nomination is the right of the person who nominates, and eligibility of the person who is nominated.

Eligibility is a common law right; and can only be taken away by act of parliament: but parliament can only take it away for crimes or unfitness: religion is neither. You cannot take away eligibility, which is a common law right, on account of religion, which is a right also.

The clause of disqualification consists of three heads. The superstition of the Eucharist; the adoration of the mother of God; and the Papal power. The two first are merely matters of religion, such as the state has no right to investigate, and such as form an objection, which must be, and which is for the most part, entirely abandoned. Two parts of the objection, then, are disposed of; and a third only remains: and that third, namely, the power of the Pope, is reduced to a mere spiritual authority: nor are the arguments founded which say, that spiritual and temporal powers are inseparable; and which instance as proof of their inseparability, marriage and excommunication. Their is no solidity in their observation nor their instance, in as much as marriage is a civil contract: and all its consequences, inheritance and legitimacy, &c. depend on the civil quality of that contract, and cannot

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be affected by a spiritual connection, of which the law has no conception; and to establish which, no evidence is admissible. This matter has been settled by the act which allows Catholics to be on juries; and therefore allows them safe and competent to try the validity of marriage: the same may be said of excommunication, which is an authority which cannot be enforced; attended by an obedience which cannot be commanded: the ecclesiastic who attempts to enforce such a power, is subject to a prosecution; and the parishioner who is injured, is entitled to damages, and damages have been given accordingly. To this objection there are further answers: the law and the fact. The law, which has made the distinction between temporal and spiritual, and has (see 14th and 15th of the King) reduced that distinction to an oath, to be taken by Catholics, under the authority of an act of parliament. It is remarkable, that in our dealings with the Catholics, the arguments of their opponents have been answered by their laws.

They say, the Catholics are not credible on their oaths; and they have made, by act of parliament, their oath the test of their allegiance. They say, that temporal and spiritual power are inseparable; and they have made them distinct by act of parliament. They say, that the disqualifying oath is a fundamental part of the law of the land; and they have declared by the fourth article of the Act of Union, that oath to be provisionary, not fundamental. They say, that by the constitution, the Catholics should have no political power: and they have made them by act of parliament, that is, by the Act of Union, a part of the Commons, that is, of the third estate of the empire. Thus they speak to the Catholics with a double tongue, and then most piteously exclaim, "These Romanists will keep no faith with heretics." In further answer to their objection, which confounds spiritual with temporal power, and which supposes the Pope to divide with the prince the allegiance of his subjects, we have the fact as well as the law. Let the princes of Europe tell how far the Pope has shared or divided the loyalty of their Catholic subjects. Let the Pope declare how far he commanded the allegiance of the Roman Catholics in Europe, when he was dragged from his palace. This dreaded interpreter of the Scriptures, and this joint proprietor of allegiance, dragged to Paris through an immense extent of Catholic country, at the wheels of

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a car of a Catholic prince, without a sword in his support, or an arm to defend him. Or say, what succour has he, in all his afflictions, experienced, except when on the shoulders of the Protestant government of England. This unhappy old man was supported an image of frail fortune and extinguished authority, until he was finally resigned to captivity and oblivion, the sole attendants on his state; without an effort to restore, or a partizan to console him. "More formidable than ever," exclaims the Petition of Cambridge; and on this solid observation piously prays the legislature to impose on four millions of her fellow subjects, eternal disabilities. To this learned university how formidable then must the House of Bourbon appear. Like the Pope, that House has lost its dominions. How formidable Ferdinand of Spain, like the Pope, he has lost his liberty, and is possessed of all the resources that proceed from captivity and deposition.

How criminal must our government appear, according to this reasoning, who pay above 20,000,000*l.* to support in Spain and Portugal the respective governments in Church, as well as State; and of course are contending to set up again the powers of France, in the person of the Pope, now represented to be more formidable than ever. See then how your right stands; of three objections two are abandoned; the third reduced to a spiritual, and that spiritual power now reduced to nothing.

You profess to tolerate religion; you do not tolerate religion when you punish it. Disability is punishment; it is a punishment in a very high degree. You cannot say, that an application to get rid of that punishment, is an application for power, it is an application for protection. Civil capacities are defence; they are necessary to protect the Catholic against the injustice of a partial trial, they are necessary to protect him against the hardship of being taxed, and bound by a body, of which he constitutes no part; when the Catholics desire eligibility to the office of sheriff, they desire a protection against juries, exclusively Protestant, modelled by a party sheriff, they desire that their lives and properties may not be tried exclusively by those who disqualify them. If this be ambition, it is the ambition of not being hanged by a party jury; the ambition of not being robbed by a party sheriff packing a party jury. On a question touching Catholic claims, the Roman

Catholics have not now a fair trial in Ireland; in a case between Catholics and Protestants they have not the benefits even which foreigners possess. I do not say this applies to ordinary cases, but I do say that where there is a question touching their exertions to obtain their civil privileges, they have not a fair trial; how many Catholics were jurymen on the late trials for the violation of the Convention Act? Not one; they are not only deprived of the great executive offices of their country, but of the great protective principles by which their lives and properties should be defended. They are excluded from the office of sheriff by which juries are impanelled, and from that legislative body by which taxes are imposed.

Gentlemen call for security; we call for security; we call for security against a policy which would make the British name in Ireland odious; we call for security against a policy which would make the British faith in Ireland equivocal; we call for security against a policy which would disinherit, disqualify, and palsy a fourth part of the empire.

When gentlemen on the other side call for security, let them state the danger; does the danger consist in the Eucharist? or in the political consequence attending the real presence? does the danger exist in the worship of the Virgin Mary? does the danger exist in an attachment to the House of Stewart? Let the opponents give us some serious reason; let them afford us some apology to after-ages for inflicting on a fourth of our fellow-subjects political damnation to all eternity. They have but one danger to state; let us hear it; it is the Pope, and the influence of France upon that power. He has at present no power; France has no influence over him, and the Irish Catholic no communication. The danger, therefore, is prospective; what securities have they taken against it? Domestic nomination? No, they have declared it to be impracticable and inadequate. You might have had the Veto; you might have had it in 1801, when you had the Pope in your power; you might have had it in 1805, when you rejected Mr. Fox's proposition; and I believe you might have had it in 1808; but you lost it, and they are answerable to the public for the loss of it. Well, domestic nomination they say will not do; the Veto they say will not do; have they any other measure? do they

propose a plan for making proselytes? do they propose to discontinue recruiting from the Catholic body? they have no plan but civil disabilities, that is to say national disqualification; but national disqualification is the odium of the British name, and the hostility of the Irish people, and what is that but ultimate separation. Separation in fact, or separation in disposition. They have talked much of the security of the Church, much of the security of the state, and much of the necessity to fortify both, and the only security they propose for either is virtual or actual separation. For this the Church has been expected to preach, and the people to petition. They tell you that there is a great danger in the relative situation of the Pope with regard to France; they suggest to you, of course, that some remedy is necessary, and they produce a remedy which does not act upon the disease, but is of itself another disorder, that goes to the dissolution of the empire. For this has Oxford, for this has Cambridge petitioned with good intentions, I must suppose, but they have petitioned for the dismemberment of the empire.

Sensible of this, the people have not crowded your table with applications against the Catholics; on the contrary, the property and the Protestant interest of Ireland have petitioned for them; and, in addition to this, a number of the leading characters in England have declared they cannot accept of office without taking measures for the relief of the Catholics. This is a great security; in this security, with other circumstances, I would advise the Catholics to place much confidence. Nothing could be more fatal to their cause than despair: they may be certain that their application must ultimately succeed, and that nothing can add to its natural strength more than the temper with which it is conducted.

I know the strength of the cause I support: it might appeal to all the quarters of the globe; and it will walk the earth and flourish, when dull declamation shall be silent, and the pert sophistry that opposed it shall be forgotten in the grave. I cannot think that the civil capacities of millions coupled with the cause of this empire, which is involved in their fate, shall owe their downfall to folly and inanity. As well might I suppose the navy of England to be blown out of the ocean by a whirlwind raised by witches, or that your armies in Spain and Portugal

should be laid prostrate by Harlequin and his wooden sword, as that such interests as I now support should be overturned by a crew of quaint sophisters, or by ministers, with the aid of a few studious, but unenlightened ecclesiastics, acting under the impulse of interest, and the mask of religion. The people, if left to themselves, and their good understanding, will agree; it is learned ignorance only that would sever the empire.

As the call of the House may have brought together many gentlemen who did not attend the former debates on the subject, I beg to apprise them of some further objections with which they must expect to be encountered. They will be told that the people of Ireland are base and barbarous, and are not equal to the exercise of civil capacities; that is, that the first order of Catholic gentlemen in Ireland, who are to be affected by the repeal of these laws, are base and barbarous; that is to say, that in the course of 600 years, the British government in Ireland has made the people of that country base and barbarous, or, in other words, that your government has been in Ireland a public calamity. They state the Christian religion, as exercised in Ireland by the majority of the people, to be another cause of this evil, and thus they suggest as the only remedy the adoption of a measure which would banish from that island her government and her religion. The folly, the indecency, and the insanity of these objections do not deserve an answer.

They will tell you moreover, that the spirit of the Act of Settlement, which deposed the reigning prince for his attack on civil and religious liberty, commits the very crime it punishes, and goes to deprive of civil liberties one-fourth of your fellow-subjects for ever.

Desire those men who tell you so, to shew the clause in the Act of Settlement of such an import, and ask them why they, in defiance of an express provision in the act, raise foreign Catholics to the highest rank in the army; ask them why the Eucharist, which overpowers the understanding, as they suppose, of lord Fingall or sir Edward Bellew, has no effect on these foreigners, and why they abandon their prejudices in favour of strangers, and advance them only to proscribe the natives of their own country. They will tell you that the disqualifying oath is a fundamental part of the Act of Union; desire them to read the Act of Union;

they will there find the disqualifying oath is directly the contrary; that by the fourth article of the Union, it is expressly declared to be provisionary, not fundamental, and you may add, that herein is a provision by act of parliament, declaring that the excluding oath, as prescribed at the Revolution, is not a fundamental part of the constitution. The same declaration will be found in the Scotch Union. Thus all the parliaments of these realms have repeatedly declared, that the disqualifying oath is not a fundamental part of the constitution, and therefore against the argument of the minister on this head you may quote the two Acts of Union, and also the authority of those who voted for the Irish Act of Union, that is to say some of the ministers themselves, and also of those who drew up the Irish Act of Union, who, I apprehend, were some of themselves; ask them, have they set forth in this act of parliament, that the disqualifying oath was provisionary, and after obtaining the Union, will they now belie their own law, and assert that the oath is fundamental; they will tell you, that by the constitution of the country, the parliament is Protestant; ask them, are not the Commons a part of parliament, and are not the Irish electors a part of the Commons, and are not they in no small a proportion Catholic; the persons who argue with you thus against the Catholics, have sworn the oath at your table; desire them to read it, and there they will find no profession of faith whatever, that Christianity itself is no part of the qualification. That any man can take that oath except a Catholic.

Ask them whether that exclusion was not on account of political combinations formerly existing in Europe; ask them whether they continue; and in answer to all their objections and jealousy, ask them why they continue to fill their navy and army in such an immense proportion, with men whose race they affect to distrust, and therefore they presume to disqualify. Ask the generals and admirals how these men act in the fleet and in the field; read the lists of the killed and wounded, and see in what number these men have died in your service; read the Irish names of wounded officers; recollect that they cannot be generals, and see in their practical allegiance a complete answer to all objections.

Or, if you wish for further information, do not apply to the court, but ask the

country; ask the Protestant gentlemen of Ireland; ask the house of Leinster; ask the house of Ormond; ask the great landed proprietors of the country, men who must stand the brunt of the danger; ask their Petition; and do not in the face of their opinion decide against the civil privileges of a fourth of your own people; do not hazard the name of England on such a principle; do not hazard the empire of England on such an experiment.

I appeal to the hospitals, who are thronged with the Irish who have been disabled in your cause, and to the fields of Spain and Portugal, yet drenched with their blood, and I turn from that policy which disgraces your empire, to the spirit of civil freedom that formed it; that is the charm by which your kings have been appointed, and in whose thunder you ride the waters of the deep. I call upon these principles, and upon you to guard your empire in this perilous moment, from religious strife, and from that death-doing policy, which would teach one part of the empire to cut the throats of the other in a metaphysical, ecclesiastical, unintelligible warfare.

I call upon you to guard your empire from such an unnatural calamity, and four millions of your fellow subjects from a senseless, shameless, diabolic oppression. You come on the call of the House to decide, as you suppose, a great question regarding the people of Ireland; you have to say to them, "We are ruined, unless we stand by one another, we are ruined; and they have to say to you, we require our liberties; our lives are at your service." I conclude, Sir, with moving you, "That it be referred to a Committee to consider the State of the Laws, imposing Civil Disabilities on his Majesty's subjects, professing the Roman Catholic Religion."

Doctor Duigenan.—Sir, in rising to address the House, I beg to promise to what I am about to say, that I do so for the purpose of opposing this motion, which has been brought forward with so much vehemence. And that I shall be able to shew that the House will depart from its duty if they venture to entertain this question.

I shall take the liberty of stating my opinion as shortly as possible; and on the first instance, I shall give my humble view of the immediate question before the House.

Catholic Emancipation, as it is now de-

manded, is nothing more or less than the repeal by act of parliament of all the statutes that have been made for the protection of the Protestant Church since the second of Elizabeth to the thirtieth of Charles 2. It goes to annul the Act of Uniformity, and also the Test and Corporation Acts, passed in the reign of the last mentioned prince; and, in short, to break down every bulwark erected since the Reformation, in defence of the established religion. Nothing else will content the Catholics but the total subversion of the constitution in Church and State.

But before their claims can be granted, two Unions must be dissolved; that of England with Scotland, and also that of Great Britain with Ireland; in both of which it is declared, that the Act of Uniformity, and other acts, for the security of the Church, shall be perpetually binding.

All these acts, in their preambles, are declared to extend to England, Ireland, and to the town of Berwick-upon-Tweed. The House, in short, is called upon by the right hon. gentleman, to repeal acts of parliament which are the great bulwarks of the constitution both in Church and State, particularly against Papists. Now, Sir, will it be said, that the only way of effecting this emancipation is by repealing these very acts? If it is, what then becomes of the constitution?—what becomes of these bulwarks of the Church?—Why every able lawyer, Mr. Justice Blackstone and others, speak of the Act of Uniformity, and the thirteenth of Charles 2, as the bulwarks of the constitution: and this very Act of Uniformity was enacted especially and particularly against Papists. Then I say that to effect this purpose you must repeal these acts which are declared to be essential and fundamental articles of the Unions both between England and Scotland, and Great Britain and Ireland.

The Act of Union between Great Britain and Ireland declares, that the Church of the two countries is to be one and the same Church for ever. Then how is this to be done? Modern philosophers and modern orators make light of these constitutional guards, though their ancestors so highly valued them; and they say that it is absolutely necessary that they should be repealed in favour of the Roman Catholics. What is more, both the king and queen of these realms are bound to swear that they will inviolably maintain the Church and State according to these acts

of Union, and yet this motion goes in the first instance to repeal these acts of parliament for the purpose of carrying what is called Catholic Emancipation.

What is it the Catholics have to complain of? Do they not possess all the liberties that the other subjects have, except that they are kept from certain places and emoluments? They say we will not confer upon them civil and political power. I say they have as full and complete religious liberty as any people on the face of the earth. They have the same security for their lives and properties, and what is more, they may sit in parliament if they take the same tests and oaths, which all other people do, that every person in this House takes: and they have their full and entire liberty, the same as enjoyed by any other subjects of the realm. And it is very remarkable, that the Roman Catholics in their present state enjoy greater security for their liberties, their lives, and their properties, than the most favoured subjects in any country upon the face of the earth. They have at this moment even more political liberty than any the most favoured subjects on earth. Will it be said that the subjects of France have the same liberty? Will it be said that the Germans enjoy the same liberty? Or will it be said that the subjects of any state upon the continent enjoy their lives, their liberties, and their properties with the same security that the Catholics of Ireland do at this moment?

Now, I say, what would be the consequence to the Catholics of the British empire at large? It does not go to Ireland alone. They demand a full equality throughout the empire:—in the army, in the navy, they claim a participation in all the privileges of the empire, and they desire you to admit them to all places of power and emolument whatever. That is their demand; and all this is to be done at the expence of abolishing all the acts that I have mentioned, together with the two acts of Union between Great Britain and Ireland, and between England and Scotland. And we are to do all this to gratify the ambition of a set of subjects whose principles are hostile in a great measure, to the state; and particularly whose religious principles are hostile, as I shall shew directly; and this, too, upon authentic grounds, and not merely from declamation; but I shall read the particular proof of it, which will shew, that they are directly and essentially hostile to

the state in every thing. And I would ask also, who, that is a true Catholic, is not hostile to the state? And pray how are we to be secured if they are to be emancipated, as they are pleased to call it, by their usurpation of our constitution? The first thing they say is, that they have a right to religious liberty. For God's sake do, gentlemen, consider who the people are that call for this religious liberty? The most intolerant set that ever was on the face of the earth in the profession of any religion in any country. The most intolerant set ever heard of in the history of the world, even more intolerant than Mahometans. They allow others no liberty of conscience whatever. Their tenets teach them totally to destroy every person differing from them in faith; and they do not even allow any person to indulge in their own principles. Why, what was done at the establishment of the new constitution of Spain? The very first act of the Cortez—the first article of their proceedings was, that the Roman Catholic religion should be the religion exclusively of the state, and that no other religion should be tolerated. That was the very first article declared, and these are the very people who are continually talking and crying out about religious liberty!—a liberty which they themselves never allow to any one whatever! In Ireland, it is true, they dare not quarrel with the people of another religion, where the people of that religion are thinner than they are. And the advice given to them by their doctrinal councils on the subject of their faith is, “If the heretics are stronger than you, you should not make war upon them, because that may be attended with your ruin.” Bellarmine, their great advocate, advises them to submit when they are the weaker party. “*Hæreticos non Bello petendos cum sunt nobis potentiores.*” The short and the long of which is, that their impotence alone is the inference of their humanity. They pretend to claim a right to religious liberty! Why, Sir, that religious liberty, notwithstanding they are so intolerant, is already given up to them. No person gives them any where the least disturbance or annoyance. In Ireland they have just as much liberty in that respect as the Established Church itself; and if that is the case, what right have they to come here, and pretend to demand the right of religious liberty, which is not denied to them, and which they have at this mo-

ment, notwithstanding the principles of their religion are such as I have stated? Now, Sir, I do profess myself a great friend to religious liberty; and I say that the principles of any sect of religion do not recommend resistance to the state. I think every denomination of people is entitled to religious liberty.

I never was an enemy to the Catholics where their tenets were not hostile to the state; and in my mind, as far as that goes, they are entitled to a full and absolute enjoyment of their religious liberty; and I think that this Emancipation will never give them more liberty than they have now.

The second reason given for their being entitled to Emancipation is their numbers, their wealth, and their power. Now, Sir, let the truth of that assertion be examined; and do not let us take mere assertion alone. It is insisted that the Catholics of Ireland amount to four millions of the people of that country; and they would have us believe that the Protestants of the Established Church are not as one to ten compared with them. But is this assertion founded upon any report, or any authentic calculation laid upon the table of parliament? No, Sir, they call upon us to take their statement; for they have given us nothing like the appearance of calculation, but mere assertion. Now, Sir, let that be compared with the most authentic calculations that have been made. There is now a Bill in parliament for numbering the people of Ireland, to which I am a hearty friend, and to which I shall give my warmest support, although it comes from the right hon. baronet opposite (sir John Newport). The only thing like an authentic calculation that has been made upon this subject was from the return of the hearth-money collectors in Ireland some years back; and the calculation then made was at an average of six persons to a house, and at this average instead of the Catholics amounting to four millions, the whole population did not exceed 2,600,000; and since that calculation, I have myself procured an estimate of the population in two of the most extensive and fertile parishes in Ireland; parishes which are considered the most populous in all the country. I mean the parishes of Lisburn and Glannevin in the north of Ireland, and there the number of men, women, and children, Protestant and Catholic, were at an average of five and one-fourth persons to a house, and those are the most thriving

parishes in all the country; the people are fully employed, and they are almost entirely engaged in the linen manufacture. But in other large parishes the average is not near so great. Surely in the miserable cabins in which the poor Irish peasantry live, and where the still more miserable tenants send out their children to get bread by working for farmers, which is prevalent almost throughout the kingdom, the calculation must be infinitely less than five to a house; and from the returns I received, taking the highest average, I have every reason to think, that the people of Ireland do not now amount to three millions five hundred thousand souls in the whole kingdom. But, Sir, there are other calculations very worthy of remark. In 1731, there was a calculation made by a Roman Catholic bishop, Dr. Burke, titular bishop of Ossory, and published at Antwerp in the year 1762, called *Hibernia Dominicana*; and that shews that the population of the whole kingdom, even in 1762, did not amount to two millions in the whole. Now it is very probable that this bishop had very exact returns, and he not only tells you the amount of the whole population of the country, but the relative numbers of Roman Catholics to Protestants. He says the Roman Catholics amounted to 1,300,000, and the Protestants to 700,000. The calculation of this man was first published at Antwerp, and from this it appears that the proportion of Catholics to Protestants at that time was but as about three to one. Such, Sir, was the calculation in 1762, the proportion not being more than two millions in the whole. And yet it is said that since that time they have doubled their numbers, in spite of all the emigrations to America, the drains to the army, and the other casualties that have happened since that time.

Will the House believe that the population of Ireland was doubled in 60 years, when they look at the population of Great Britain since the Revolution. Why, Sir, in England and Wales they have not added more than three millions to their numbers since 1689. The return made at the Revolution was at 7,000,000, and the last calculation amounted only to 10,000,000; so that in England and Wales, from 1689 down to about eleven years ago, the gross calculation of the population of the country, was only increased by three millions. I think therefore the House will pause before it believes the prodigious calculation with respect to Ire-

land! and I am persuaded, when the grounds of the gentleman's calculation come to be examined, they will be found to be extremely fallacious. However, whether I am right and they are wrong, or *vice versa*, I shall be a friend to the Bill of the right hon. gentleman over the way, which, I have no doubt, will set the matter at rest. For my own part, I only speak of the probability of the thing, and I can find no other foundation for the assertion on the other side except mere assertion; and I hope one assertion is as good as another.

Now, Sir, with respect to the wealth and power of these most formidable Roman Catholics, who, without you indulge them in these wonderful strange privileges they demand, and which their religion disables them, and ought to disable them, from enjoying, as long as they continue to hold the principles they do; and who, it is said, unless you do this, will fly into open rebellion. Their wealth is stated at a prodigious rate indeed; but the statement is not confined merely to personal property, but to real property also. Now, I say, that the statement with respect to both is grossly exaggerated. As to real property, it is notorious that the Catholics do not possess one out of forty-nine parts of the whole kingdom; and with respect to commercial property, notwithstanding the exaggerated and misrepresented statements of their wealth and progress in commerce, it is very well known from the most judicious calculation, that they have not one out of ten parts of the commercial wealth of the country. So here are forty-eight out of forty-nine parts out of the real property, and nine out of ten of the personal property in possession of the Protestants; and yet the Roman Catholics ostentatiously hold forth that they are the people of Ireland! and they say, forsooth, that this is a contest between England and Ireland; and that all Ireland is up in arms for this claim of emancipation!

Now, Sir, with respect to these Petitions, I deny that they are any of them older than five days: the majority of them not having had existence for more than two or three days. But some of these Petitions are said to be the Petitions of the Protestants of Ireland in favour of the Roman Catholics of Ireland. For my own part, I can say of my own knowledge, that in many counties in Ireland there have been many attempts made to procure Protestant signatures, but they have always been

scouted: and in many instances where they did give them, they were surreptitiously obtained. Two Petitions, I know, were signed at night, by threats. I know Petitions have been signed by the Protestants in parts of the country, where the Catholics are predominant, as in the south of Ireland. There, Sir, the people do not live in towns as they do here, which rendered the prospect of intimidation favourable. Private emissaries, I know, were sent about, and wherever there was a Protestant farmer, there was private intimation sent to him, that if he did not sign the Petition in favour of the Catholics, his house would be set fire to. (Hear, hear! and a laugh from general Matthew.) I am glad to hear so much mirth from the facetious orator opposite, a good bon-fire is a handsome thing, but not so pleasant to the sufferers. The truth, however, of the fact is notorious; and, Sir, I know of my own knowledge, that in the city of Dublin, wherever there was a poor Protestant who followed a retail business, there were messages sent about to him, that if he did not sign the Petition, he should lose all his Catholic customers, and that no Catholic should deal with him; and that, when it is recollected that the lower orders of the society are all Catholics, was a very serious thing to a man in his situation. That sort of conduct had some effect, but very little. I know this Petition, which was said to be the Petition of all the Protestants of Dublin, (but which I totally deny) was signed in a very curious way. A copy of this Petition was left at the Commercial coffee-house in Dublin, in a private room in the house, and when any one went in to take some refreshment, the question was put to him first, "Sir, will you sign a Petition for the emancipation of the Catholics?" The man would say, he was not determined yet,—"I have not seen it." "Sir, that is not the question," was the reply. "But will you sign the Petition." And this was the way throughout the piece. The man was not shewn the Petition, and it was detained from him until he should say he would sign it; and even we were told by the right hon. gentleman who introduced this Petition, that the names attached to it are not the names actually written by the ostensible subscribers, (for they were taken away) but that they were only fairly transcribed; so that we have only the fair copy; and that rough copy, from which alone we could at all judge of its authenticity, is

kept from us. How do we know that this is a genuine Petition? It is not stretching our suspicion too far to doubt it. But yet we are called upon to believe that these are the Petitions of the Protestant proprietors of Ireland—a more fallacious way of judging cannot be found? There may, however, be names of respectability attached to it. There are families, I know, in Ireland, one of whose names was mentioned here to-night by the right hon. gentleman, in his speech, who have lent their names to these Petitions—The Powers, and others. I do not mean to say that these are not people of rank and property, but all I mean to say is, that those are not the Petitions of the Protestants of Ireland; and I say that in consequence of the threats that have been used to procure signatures, the manner in which the Petitions were signed, together with the circumstance of our having no opportunity of knowing who the subscribers are—the House is not authorized in paying the least attention to them. I will venture to assert, that not one Protestant in a hundred has signed it. I know for my own part, the Petition was received with the utmost indignation in the north. I did hear that some Presbyterian ministers signed the Petition; and the consequence was, that their congregations turned them out of the meeting-houses, locked up the doors, and excluded them for ever: these persons, I say, were locked out for ever, in consequence of signing this Petition (a loud laugh from general Matthew.) It gives me great pleasure when I can extract a laugh from the hon. gentleman, he is such an incomparable hero, and such an admirable orator.

Sir, there never was so gross an attempt to impose upon the English nation, as the assertion that the Protestants of Ireland are favourable to Catholic claims; and I am sure the right hon. gentleman, if he knew the means adopted to procure the signatures to these Petitions, he would not have brought the subject forward; nothing would have induced him to lend himself to so gross an imposition upon the sober judgments of the people of England.

Why then, Sir, even taking for granted that the signatures to these Petitions are the genuine expression of the sense of the Protestants who are alleged to have signed them (which I conscientiously doubt) still I deny that it is the Petition of the whole Protestant inhabitants of Ireland. I maintain most confidently that it is not.

According to the best calculation of the relative numbers of Protestants and Catholics in Ireland, the Roman Catholics bear a proportion to the Protestants, as three to two: that is, the Protestants are two parts out of five; and they are in possession of the property of the country: and as to the Petitions, there is not one sensible man amongst these Protestants who signed them, except those gentlemen to whom I have alluded.

As for the gentlemen on the other side of the House, who have taken up this question, they and their friends, though I admit they are very respectable, have taken it up obviously, to create an influence for themselves in Ireland. I know they are to be ranked amongst the respectable part of the persons who support the Catholic claims, and I know there are several other gentlemen of great respectability in Ireland, who give this question their countenance. I do not pretend to say there are not some gentlemen of considerable property who have signed the Petitions; but I say, the larger proportion of the Protestants of Ireland are absolutely and decidedly averse to Catholic emancipation.

Now, Sir, so much for numbers, which seems to be the strongest argument used on this occasion; and that is the argument upon which I also depend. Now, Sir, I will take the property and consideration of the country into calculation, and putting them against the lower orders, and let the House see whether they can be properly called the nation. Why, Sir, it is a play upon words to talk of setting them in competition with the Protestants of Ireland. Compared with the Protestants of Ireland, they are nothing. Why, Sir, the Protestants of Ireland are able, without any assistance from this country at any time, to keep them down.

In the year 1798, a rebellion broke out in Ireland, under circumstances of a very violent nature. The Protestants knew that a rebellion was preparing, but they did not know it was so near its explosion. They ran to arms instantly, however, as soon as they knew of it—they put down that rebellion in one month; and though lord Cornwallis was sent from hence to put it down, he nor his troops did not arrive till the battle of Vinegar-hill was fought, which completely discomfited and destroyed the rebels, so far as their numbers were thought considerable. There were 30,000 of them at that place in a body or

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mob; but they were all dispersed at once by the Irish Protestants; so that lord Cornwallis had no more to do in putting down that rebellion, than any other general officer in this country.

In short, no man would lament more than I, the recurrence of a similar calamity; but I am convinced that the Protestants of the country are alone able to put down any such disturbance, should it happen again; so that the people of England need not be alarmed about the power and consequence of the Roman Catholics of Ireland; for the facts are directly the contrary to what is alleged. The state of the nation is as I state it; and as the British minister thought at the time he sent over the British troops. The first English regiment of militia sent over in 1798, was the Buckinghamshire regiment, commanded by the marquis of Buckingham himself, and his lady in person. That was the first regiment sent, and it did not come over till eight days after the battle of Vinegar-hill, which had put a stop to the rebellion. Now, Sir, so much for the power and numbers of the Catholics in Ireland, which seems to be the sole and chief argument in their favour.

The next argument we hear, Sir, is, that the Catholics are entitled to emancipation on the score of their services in the army and navy; and really, Sir, from the manner in which this part of the subject has been dealt with, one would naturally infer, that all the component parts of the regiments in our pay were Irish Roman Catholics, whereas, in fact, one half the privates of the Irish regiments and all the officers are Irish Protestants. I may venture to say at least one half and more. Now, Sir, because the Irish are willing to shed their blood in defence of their king and country, it is to be said that all these are Irish Roman Catholics. Why the fact is quite the contrary; because the Protestants are more disposed to go into the army than the Roman Catholics. There is scarcely a Protestant in the north—I may say forty out of fifty Protestants in the north who have not served in the army. Pray what is the merit of a Roman Catholic soldier? The man who is a soldier in the army, lives a great deal better than the man who is obliged to work in the field by his daily labour for his living. Besides does he not enlist at his own pleasure? He is not pressed into the service. He lists from an heroic spirit—and prefers the idle life of a soldier, to the more slavish

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one of hedging and ditching: and pray is there any thing unreasonable that the subjects of the King (of whatever religion they may be) should be called upon to defend these liberties which they enjoy in common with the rest of their fellow subjects? for I maintain that the Irish Catholics enjoy more liberty of person, and greater protection of property, than the most favoured subjects on the face of the earth. Look at the people of France, of Germany, of the Iberian peninsula, and of Italy, and can you find a more highly favoured people than the Catholics of Ireland. In Ireland you see the people governed under a benign constitution, their lives, their liberties, and their properties secure, whilst in those states, these valuable privileges of the wretched people are at the merciless tyranny of their despotic governors. Will the comparison stand? What is the happy state of the people of Ireland compared with the miseries of the wretched people on the continent? Pray what reason is there to suppose that the Irish Catholic has any extraordinary merit when he enlists at his own will and pleasure? Or that there is any peculiar hardship in his serving under a Protestant officer? Is there any more duty, or any greater task put upon him than upon any other man who takes his chance in the army, and who enlists rather than be a common labourer? For I know that is the reason many of them do enlist. They are naturally a brave set of men, and when they get into the army, they are as good as any other men; and when they get abroad, and are mixed along with their Protestant fellow soldiers, they do their duty as well as them. But what claims have they from this to what is called emancipation? Are they in a less happy state than any other men of their same rank in life in the kingdom? While on the contrary how much more happy are they than the rest of their fellow creatures abroad? They are not dragged to the army in chains, as the wretched soldiers are in France and Germany. They enlist voluntarily, and what particular merit have they more than any other men of their rank, in entering the army? They are well clothed, and paid for it, and live infinitely better than as common labourers.

Now with respect to the navy the case with them is the same, except this, that their numbers in the navy are much more over calculated. The shipping ports of Ireland are not at all to be compared with

those of England and Scotland, and consequently the navy must be composed of an infinitely greater number of English and Scotch than can possibly be reared in Ireland; and yet Irishmen are admitted into the navy; and indeed we have a memorable instance which gives us information upon that subject, namely, the meeting at the Nore in 1797, where, according to the report laid before the House of Lords, it appeared that almost all the persons concerned in that mutiny were Irishmen, except a few marines. It is impossible for the Catholics of Ireland, even admitting them to be four millions, to turn out one-third of the army and navy of Great Britain, when it is recollected that they are only as four to thirteen millions; and more particularly that one-third cannot be Catholics, from the calculation I have shewn.

As to the complaint of their having no prospect of promotion in the army, it is without foundation, because they may attain the rank of any officer short of generals on the staff and generals in chief; therefore they are out of their reckoning when they say they suffer hardships under this head; for it is really without foundation. And what right have they to call for emancipation at the expence of keeping their Protestant fellow countrymen from a participation in the benefits of the constitution?—or, as I ought to say perhaps, at the expence of a revolution; for I maintain, that there never was a greater revolution in France than would follow from the abrogation of the Acts of Union, and the destruction of the Test and Corporation Acts, as they are all declared to be the bulwarks of the constitution, by the first lawyers.

Therefore, Sir, I say, as they have no more merit for their services, and are entitled to no more favour than the rest of their fellow subjects, it would be the height of injustice to their fellow subjects to alter the constitution, and create a revolution in the state on their behalf.

Think of the injustice of this. Will you sacrifice the interests and the happiness of thirteen millions of people, and pull down to the ground the venerable fabric of the British constitution in church and state, to satisfy the ambitious desires of 2,500,000 of the lowest orders of the community in another country? And this, too, a people whose spiritual and political opinions persons of the soundest judgment and the deepest knowledge in the law pronounce

to be dangerous to the state! If gentlemen really wish to have the Popish religion established again;—if they wish the pure spirit of the constitution to be engrafted upon the intolerant principles of the Roman Catholic religion, in the name of God, if they think it wise so to do, let them do it; but before they do it, let them consult the opinions of 13,000,000 of the British people, before they do all the mischief for the sake of 2,500,000. But if they do not wish the religion of the state to be altered, and if they do not wish to see the power of the Pope again established on the throne of this country, they will set their faces against this question (Here general Mathew laughed loudly.) I certainly have no hope of being able to make any impression upon that facetious orator (A loud laugh throughout the House.)

Now, Sir, I must say a word or two in addition to what I have already said on the subject of the intolerant spirit of the Catholic religion. The Catholics are the most intolerant set of people in the world. Their religion never allows any toleration to any other religious sect but their own. And I need not say that they indulge that spirit wherever they have the power to enforce it. They cry out loudly for religious liberty! and yet they are the most intolerant set of people themselves that ever infected the world. Look at the works of Dr. Troy, Dr. Hussey, and Dr. Milner! and you'll see what an intolerant set of people they are. You will see what the doctrines of these men are. They have proscribed all schools except Roman Catholic schools; and their children have been proscribed from going to Protestant schools, even though there was no religion taught in them; and although these schools were perfectly open and free to all children whether Catholic or Protestant. Sir, if the House doubts my word upon this subject, let them look at Doctor Coppinger's letter, where they will see a still further instance of this sort of intolerance. In that letter, domestics are forbid to attend prayers in a Protestant family. Let the House also look to the letter of Doctor Moylan, in which he draws an exclusive line of separation between the people of the Protestant religion, and those of the Roman Catholic religion. What is this, Sir, but a proof of their holding no faith with heretics? Now, Sir, let me call the attention of the House to that most extraordinary oath taken by their bishops and inferior clergy. This oath I quote from

that very letter of Doctor Troy, to which I have alluded. In that oath they swear religion, loyalty, and obedience to the Pope.

[The learned doctor here read the oath, in which the person taking it swears that he will from henceforth be bound to St. Peter and the church of Rome, and his lord the Pope, his successors and governors; and any attempt that shall be made to offer violence or wrong by any means with his consent, or power created so to do, and shall most willingly discover it to the Papacy of Rome: and concluding, by declaring his sincere determination to maintain the rights, honours, and privileges of the Church of Rome, and of the Pope, his honours and powers, dwelling the particular emphasis on the words 'Hæreticos persequar et impugnabo.']

Now, Sir, see what the nature of this oath is. Every one of the Catholic bishops of Ireland, nay, every one of those bishops who are now making such an outcry about religious liberty, take this identical oath of fealty to the Pope; that very Pope who is now a dependant upon Buonaparté. These are the men, I say, who would have all these claims conceded, without any proviso or provision. What! men who have taken this oath to the Pope and his successors, and the Pope at present a slave of Buonaparté! and his successors likely to be slaves of France!—to be admitted to such a power as they now demand!—As to the temporary imprisonment of the Pope, it is no sort of reason whatever for allowing such an oath to the Catholic prelates. Is that circumstance any reason that they should be admitted into the possession of political power? I never was, Sir, an enemy to the Catholic religion, or an enemy to any of its members; but upon a question of this kind one is bound to consider well their claims to be admitted to an unlimited participation in the benefits of the constitution. Now, Sir, see what the oath of the parish priest is, because it is well worthy of attention. The Catholic priest acknowledges the Holy Catholic Church of all other Churches to be the only true Church; and he promises and swears true obedience to the bishop of Rome, or vicar of Jesus Christ. Now this every parish priest takes before he is admitted to holy orders; and he also swears to and believes in the infallibility of general councils. But I shall come to general councils presently.

Now, these are the people that call out

for religious freedom, who are themselves outrageous and violent in every thing they do and say. I think, from this specimen of their disposition, that they have not much claim to religious freedom, upon the score of liberality in themselves.

Now, Sir, it is said by these people, that the decrees of the Pope and decrees in general councils are infallible rules of conduct. Now Doctor 'Troy admits that; and he is one of the most prominent of the Catholic advocates. In one of the most celebrated of those decrees, namely, that of the fourth council of Lateran, it is ordered, that all subjects shall be absolved from their allegiance to their princes, who shall deny the spiritual and temporal power of the Pope; and that no temporal lord shall harbour in his house any heretic; and that Catholic princes are bound to exterminate from their dominions all heretics; and refusing so to do, they shall be excommunicated. Now, Sir, this is an article of their faith, and already admitted by one of themselves. These oaths they take in their admission to the priesthood; whether they are bound by these oaths or not, it is not for me to say; but take them they certainly do. Now, Sir, this same decree of the council of Lateran that I have mentioned to you, is confirmed by the councils of Constance, and they more distinctly confirm that part of the council of Lateran which makes it part of their tenets to exterminate all heretics. Now these are the opinions of those men. What can you expect of such a set, coming abroad and talking to us of that dreadful want of religious liberty by which they say they are precluded from, and claim a right to be admitted into the powers of the state?

It is said by the right hon. gentleman who spoke first, that the power of the Pope, whatever it might be, is at an end, and that whatever the opinions of the people might be, it was no matter, because the people had no power to carry those opinions to the dangerous purposes for which they were calculated; and that therefore it seemed to be our policy, in order to keep the people from doing that mischief, not to keep them in that way.

Sir, we are told it is quite enough for us to satisfy our minds that there is no danger of those tenets, or of the capacity of the people who maintain them, to do the mischief we apprehend, if we only look to the history of Catholic countries, and the

conduct of Protestant subjects. It is alleged, that Protestants in those countries are loyal. Why are they so? A Protestant may be loyal because he is not bound to look upon his neighbour as a heretic, as the Roman Catholics are with respect to Protestants. But Roman Catholic subjects are bound by their religion to exterminate heretics; but Protestants are not bound to exterminate Catholics, but their religion. What dependance then can you have upon the loyalty of such subjects as Catholics? Let me ask, gentlemen, how it is possible you can admit such men, with safety, to the benefit of a Protestant government, who are under the dominion of the Pope? It may be said that they are loyal subjects, because no man in this country owes his allegiance to a foreign temporal power. I admit they may be peaceable inhabitants, but whatever loyalty they may have, it is from fear rather than from any attachment they have to the government. It is said, that the power of the Pope is now totally void by being under the complete domination of the ruler of France. This is, however, merely asserted, not shewn. No man will deny that at this hour he nominates the Irish bishops. There is not a parish priest in all Ireland that is not appointed by the Pope. Now no person is allowed to be a parish priest in France, but those who are chosen by the prefects of Buonaparté; such jealousy does he show of the power of the Catholic liturgy. With such an example before us, then, what reason is there why the king of this country should not have a similar power over the Roman Catholic clergy of Ireland as Buonaparté has over those of France? Buonaparté, who is certainly a very execrable tyrant, and who has trampled upon the boundaries of right and wrong, has yet wisely seen the necessity of having the power of nominating; not only bishops, but of appointing every parish priest. Surely then this is a warning to the supreme ruler of this country to take care that those Irish Catholic priests are kept under the temporal power of the state. Surely this would be more advantageous in a popular state, than in a government where the ruler is a despotic monarch.—The Catholic clergy of Ireland have the power of electing their bishops, and there is a great portion of democracy in the British constitution; surely then if that is the case, it must be much more advantageous to the people of Ireland, if the Ro-

man Catholic persuasion give the power I have just been describing, to the monarch on the throne, than in a despotic country where the people have no power. But these people want to be left as they now are, with all these dangerous objections unremoved. I trust the House, before they suffer them to have any more power than they now possess, will take good care not to be too lavish in their inattention to this branch of the subject.

It has been asserted that these people deny all temporal power in the Pope. Can you believe this, when it is very well known that they have sworn an allegiance to him, infinitely stronger than to the crown? And when it is argued on the other side, that the spirituality he is invested with gives him no temporal power, I completely deny it. Was it ever stated, or ever contended that there was not a great degree of temporal power attached to the spiritual supremacy? Now then, Sir, I deny the truth of this proposition, in as much as the temporal power of the Pope in marriages cannot be denied. That power in many instances, is conclusive against the laws of this land. Why then, Sir, is not this of very great consequence? Because if you controul this power, and the temporal power of the spiritual authority in other things, will you not have endless petitions on your table against the soundest maxims and laws of the land in respect of the adjudication of the right of property? Will it not then be called a religious grievance? Suppose, by the laws of the land, you decree a marriage to be defective, by certain rites of marriage not being duly performed, will it not be said to be an unjust and an intolerable restriction? Will any man pretend to say that it gives that power no temporal influence which claims a right to decide upon the legality of marriages? It is a play upon words if it is contended that the present law of the land does not give such a power to the temporal authority of the state. If, therefore, you were to attempt to take away this power from the spiritual authority of the Catholic Church, will they not complain of it as a grievance? It is said also, that excommunication gives them no temporal power. I say that power must necessarily be a temporal power; because though it is nominally called a religious power, it is nothing without the temporal power to enforce it; and it is impossible for you to separate the spiritual supremacy from the temporal supremacy, be-

cause they must necessarily be intimately and immediately connected. Such powers never existed separately, consistent with each other, in any state.

Now, in Papal Rome, the priests and others had a very great temporal influence; and I say that they must always have even a greater power than is permitted by the laws of this state; and they will have that power to a certain degree in opposition to all your laws and all your securities, as long as the doctrine of auricular confession remains a part of their tenets. That doctrine will always have a very great influence in whatever part of his Majesty's dominions it is exercised by the priesthood. I cannot conceive how it is possible, in a religion like this, to separate temporal influence from spiritual authority, because they are so intimately blended together, that one is nothing without the other.

Sir, I have trespassed a long time on the attention of the House; but I trust that in giving my vote against this motion, I shall not be considered as an enemy to the Catholics; and that I vote against it because I think they cannot, under the present circumstances of the times, be trusted with the possession of political power.

Sir J. C. Hippisley.—The sentiments expressed by the right hon. gentleman who has just sat down, are so much in opposition to my own, that I feel myself called upon to give some reply to them. I can assure the House that I am disposed to trespass upon their patience as little as possible, considering the extent and importance of the subject, and that it is not my intention to produce, as heretofore, voluminous documents in support of my own opinions. My wish is principally to lead the attention of the House to that kind of investigation, which, in my apprehension, is best suited to repel those prejudices which may be considered, in no small degree, as hereditary, and which in the minds of but too many, will probably be aggravated by the statement of the right hon. gentleman:—my wish is also to endeavour to set the minds of others, as my own is, at rest, as to any dangerous consequences to be apprehended from further concessions to the petitioners, even to the full extent to which the argument of my right hon. friend who moved the question was disposed to carry them:—provided such measures of concomitant

legislation are adopted, as do, in fact, constitute a material feature of the state policy of every other nation, and have not been less in the view of our Catholic ancestors, than they ought to be in our own, at the present hour.

The right hon. and learned gentleman has again recurred to the pontifical oath, taken by bishops at their consecration, as pregnant, in his opinion, with every mischief, on account of the unqualified obedience sworn to the Pope; and he emphatically dwells on the words "*hæreticos persequar et impugnabo*"* as the pledge of ceaseless persecution.—He quotes Dr. Troy's Pastoral Letter of 1793, to substantiate his charge; but at length acknowledges, that the see of Rome did actually admit a qualification of those hostile words, at the instance of the empress of Russia. In this respect he has told the truth, but not the whole truth; for he has omitted the most material facts, namely, that the very words he objects to, are also omitted, in the pontifical oath taken by the Roman Catholic bishops of

* In vain do Catholics protest against the interpretation which their opponents insist upon giving to this passage of the Pontifical Oath.—We have seen that Rome, yielding to the prejudice, has withdrawn it altogether, both with respect to the Catholic bishops in the Russian dominions, as well as to those of Ireland:—but, in candour, let us see, also, how far the original Pontifical Oath is countenanced, in this respect, by the words of the Coronation Oath of the kings of Scotland, as taken by king William and queen Mary.

"We, William and Mary, king and queen of Scotland, faithfully promise and swear, &c. &c. to maintain the true religion of Christ Jesus, now received and preached within the realm of Scotland, and shall abolish and gainstand all false religion, contrary to the same," &c.—"We shall be careful to root out all heretics and enemies to the true worship of God, that shall be convicted by the true Kirk of God of the aforesaid crimes, out of our lands and empire of Scotland," &c.—Such is the Oath.

On a reference to Stuart of Purdovan's Collections, 1802, we find (book iii. table 2, of Papists, &c.) "that our sovereigns, by their Coronation Oath, are to root out all heretics," (as in the recited Oath) "which only binds them, at least, chiefly, to execute the laws against Papists, who

Ireland, by the express authority of the see of Rome, and that the official notification, authorizing such omission, is given at length in the same pastoral letter of Dr. Troy, on which the right hon. gentleman has grounded his charge. He ought in candour to have told us, that, in 1791, the Roman Catholic bishops of Ireland addressed the see of Rome, representing the prejudices excited by a reference to the oath in question, at the same time expressing their own conviction, that the obedience sworn to by them was merely an abstract canonical obedience, and perfectly consistent with the oath of allegiance to their sovereign. Concerning this oath, nevertheless, and particularly as to the words "*hæreticos persequar et impugnabo*" they requested an authoritative explanation from the see of Rome, which might tend to remove the prejudices which had been so industriously excited in the public mind, and they stated that this was the more important as they were then on the eve of an application to parliament to be relieved from the pressure of the penal

are declared common enemies to all Protestant states." (Jas. vi. par. 16 and 18.)

Again "The severity of our laws against Papists will be further justified, if we consider, that by the law of God idolaters were put to death," (Deut. xvii.) and "agreeable thereto, Popish idolaters are to be punished with death." (By the 104 act, par. vii. Ja. 6, &c.)

We find, however, that king William recoiled at the letter of his oath, when he came to the clause, "to root out all heretics."—The commissioners quieted his conscience, by leaving it to his own construction; and the king took the oath in his own sense of it, however opposed to the letter of the law which enjoined it: Catholics have claimed the same indulgence for their Pontifical Oath, and with more reason (if we take Purdovan's construction of the Scotch oath,) but they have not been allowed it.

So were king William and queen Mary constrained to take oaths recognising the established religions of both England and Scotland to be each, distinctively, the true Protestant religion, though opposed to each other in doctrine and discipline. To those who wish to examine further into the subject, we recommend Stuart of Purdovan's collections, 1802, and the admirable History of Scotland by Malcolm Laing, esq. M. P.

laws. The right hon. gentleman might also have read in the same work, that on this application being made, the Pope directed the congregation de Propaganda Fide to be convened—a tribunal then consisting of a cardinal prefect, and twenty-two other cardinals—and the result of their determination, sanctioned by the Pope, was immediately transmitted to the archbishops of Ireland. Much surprise appears to have been expressed by that tribunal, at the objections taken to the oath. The titular archbishops were reminded of the explanation formerly given of the same oath, by the late titular archbishop Butler to similar objections raised by the bishop of Cloyne; and the strained persecuting construction of the words "*hæreticos persequar*," &c. was therein pointedly disavowed by Rome. The official document contains also the memorable words to which I here more than once adverted in former debates in this House, namely, that "the see of Rome never taught that faith is not to be kept with the heterodox; that an oath to kings separated from Catholic communion, can be violated, or that it is lawful for the bishop of Rome to invade their temporal rights and dominions. We too (it adds) consider an attempt against the life of kings and princes, even under the pretext of religion, as an horrid and detestable crime."—It then proceeds to state the legitimate construction of the pontifical oath; but adds, that as that oath has been so grossly misrepresented, the Roman Catholic prelates in Ireland, are allowed in future to make use of the same form of oath as was directed to be taken by the archbishop of Mohælow, in Russia, in which the words "*hæreticos persequar et impugnabo*," are wholly omitted by express authority of the Pope.—The oath thus substituted, concludes with this pointed declaration, "I will observe all these things the more inviolably, as I am firmly convinced that there is nothing contained in them, which can be contrary to the fidelity I owe to the most serene king of Great Britain and Ireland, and to his successors to the throne." Such is the oath as modified by order of the Pope himself in 1791; which the learned doctor, in candour, ought to have stated to the House; the whole being contained in the pastoral letter of Dr. Troy, which has fallen so much under his animadversion.

The House, I trust, will permit me on this occasion, to be somewhat pointed in

referring to a document of so much importance to the question, especially as it comprehends a victorious answer to the allegations of the right hon. and learned gentleman. I have ever conceived it to be the duty of every member to afford the House such information as he could give on so weighty a subject; and I have myself not confined my opinions to the walks of the House. Upon a question involving great doubts, at least in the minds of a considerable mass of the public, as proposing a departure from the state policy of our ancestors, I considered the public also to be entitled to the fullest information.

It has been stated of the petitioners that they amount to a population of four millions; granted:—such an enumeration leaves, however, a vast majority of the people opposed to them in religious communion, and deeply impressed, for the most part, with strong prejudices, not merely against the religious tenets of Catholics, but also questioning the integrity of their civil principles. To disabuse and counteract those prejudices, should be the object of every good subject who had the means in his power—acting in the letter and spirit of those wise admonitions of the legislature, which prescribe the important duty and advantage of connecting ourselves with our Catholic fellow-subjects by the ties of "mutual interest and affection." In this view also, on a former occasion, I endeavoured to impress the House with a sense of the propriety, and, in my apprehension, even of the necessity of an examination of this subject, in a more satisfactory manner than could be effected by a committee of the whole House. The standing orders of the House, on a question affecting religion, enjoined indeed such a committee as the first step, but the next I would wish to adopt, and it would be in the recollection of the House, that I have repeatedly urged it, is the appointment of a select committee, with the usual powers, wherein all the bearings of the existing laws upon the question might be adequately considered: those of our Catholic ancestors, not less than those subsequent to the Reformation. In such a committee also the most important documents might be authenticated:—such as the reference to and answers of the six Universities in 1789, and at former periods; the public declarations, addresses, remonstrances, &c. of the Catholics, avowing their tenets; on various occasions subsequent to the Reformation; the acts likewise of general

councils, as constructively bearing upon civil and social duties and temporal rights; and the interpretation of those acts given in the various class books of their professors and others, as taught in the several Catholic seminaries of education, and particularly in those existing in the United Kingdom. Not least in view of such a committee should be that important document which the right honourable and learned gentleman has so surprisingly overlooked, and which comprehends in itself a most satisfactory answer to the calumnies heaped upon the see of Rome, on reference to the dispensing and deposing doctrines or tenets so continually imputed to her as injuriously affecting other states; keeping in mind, however, the essential distinction between the acts of individual Popes, and those of the see of Rome, acting on the legitimate basis of her spiritual authority. In a committee of the whole House, assertion could only be repelled by assertion, with but little advantage to the question; but in a select committee, documents, such as had been noticed, might be deliberately examined, and those which tended to throw most light on the subject, would necessarily be noticed in the report. The constitution of the ecclesiastical government of the Catholics, with the relation it bears to a foreign jurisdiction, would necessarily form a material feature of such a report; and a reference to such authorities and illustrations as the committee, with its usual powers, could readily command, would enable them to collect a mass of evidence of the most material import, in forming an adequate judgment on such a question. Such a committee as I, in a former debate, observed would necessarily obtain the aid of the most eminent municipal lawyers and civilians, not excepting the learned and right honourable gentleman himself, and in another place, it might be aided also by all the information of the most enlightened prelates of the establishment. It seemed scarcely necessary to anticipate the advantages to be derived from the extensive circulation of the report of such a committee throughout the United Kingdom—preparatory to the ultimate measure of legislation.

The right honourable gentleman has laid much stress upon the obligation in the pontifical oath of supporting "the royalties of Saint Peter," as inferring an unqualified subjection sworn to the sovereign pontiff. Here also I will beg to refer the right honourable gentleman to the

same pastoral letter of Dr. Troy. He expressly avers the obligation to be purely a canonical obedience, qualified with the saving clause of "*salvo meo ordine*"—which, in the construction of all those who take the oath, completely shields their civil allegiance; and if such be their own construction, as in fact it is, we have no right to interpose another. "The royalties of St. Peter," Catholics consider merely with reference to the local patrimony of the see of Rome, and so all their schoolmen define it; but at any rate, the concluding clause of the substituted oath of 1791, which has been noticed, carries with it the solemn guarantee of Rome itself, for the allegiance due from the subject to his temporal sovereign, and particularly to the king of Great Britain.

The House may think that I am treading too closely on the steps of the right hon. gentleman himself, in a tedious discussion of antiquated documents; but as the learned gentleman has thrown down the polemical gauntlet, and as it is essential to the question that it should be taken up by some one, I accept the challenge. I wish, not, however, to annoy the House with a detailed refutation of those allegations which have been made this night, respecting the councils of Lateran, of Constance, or of Trent. Fully aware, however, that those allegations would be made, I have provided such documents as were best qualified to confute them; and although I determined to enter the House myself, unarmed with them, I have deposited them, however, at no greater distance than the Vote Office: and if the curiosity of any member should be excited to refer to them, I shall regard it as a pleasing duty to assist him in the research. Some observations I will, nevertheless, venture to offer upon what had fallen from the right hon. gentleman, although I am but too sensible that I shall only repeat what I have stated on former occasions on this subject. The 4th Lateran council was convened by one of the most ambitious Popes that ever sat upon the pontifical throne, Innocent 3. The right hon. gentleman has truly stated that it was most numerous attended by the ambassadors or representatives of nearly all the sovereigns in Christendom, as well as by the ecclesiastical members of the council. From this country, in particular, a representative was sent to it. The deposing doctrine, so often and so justly reprobated, is inferred from the 3d canon of that

council; authorising, as it is contended, the deposition of all heretical princes, and the transfer of their dominions to others. It must be observed, nevertheless, as Catholics invariably urge, that the two first canons only are of general obligation, being canons of doctrinal decision of faith, and as such enjoining the obedience of the whole Church:—the rest are merely of discipline or regulation, and as such, requiring the canonical acceptance of churches and states, to give them validity. This is a principle universally acknowledged, and expressly taught by all the ecclesiastical jurists and schoolmen. In France the discipline of the council of Trent was never canonically received: a great part of its disciplinary regulations, as of useful adoption, have been sanctioned by the state at different periods, acting purely on its own authority; whilst many decrees were wholly rejected, as incompatible with the independency of temporal dominion and of the rights of the Gallican church. These distinctions may perhaps appear of little interest; but they should be carried in memory because they bear most materially upon this question. It is a matter of curiosity, at least, to observe how some Catholic writers speak of this fourth Lateran council—Matthew of Paris, our countryman, a Benedictine monk, and a contemporary writer, speaks of its decisions not a little tauntingly: he considers the council convened principally to get money, and observes, that the Pope having accomplished his purpose, dissolved this “gainful council,” as he terms it, “and the clergy departed mournfully from it;” his words are ‘*papa jam accepta pecuniâ, quæstuosum hoc concilium dissolvit gratis, totusque clerus abiit tristis.*’—Platina, another Catholic writer, also states of this council, “that though much was proposed, nothing was decreed—‘*Venerunt multa quidem in consultationem nec discerni quidquam potuit.*’” In fact, the authority of some of the canons of this council are much questioned by Catholic writers and others, as Dupin, and the late Catholic bishop Hay, of Scotland, have observed: and this offensive one is rejected as spurious by Father O’Leary. Innocent 3, is represented by other writers, as well as Platina, as having produced those decrees in the council. but that they were never formally ratified by the council; and the nephew of Innocent, Gregory 9, always spoke of them as his uncle’s canons. It is farther particularly stated (VOL. XXII.)

of this third canon, that it never made its appearance till an hundred years after the date of the council. Be that as it may, it never was received, but on the contrary it has been rejected by every state in Europe, even when Rome was in the zenith of her power, though individual pontiffs have often acted in the spirit of it, even anterior to the date of that council.—Of the other councils cited by the right hon. gentleman, having so often observed upon them, I shall now make no comment further than by saying, that the most satisfactory explanations may be found in all the class books of theology or ecclesiastical jurisprudence which are current in every seminary of Roman education.

In the speech of the right hon. gentleman this night, though in some respects more moderate than those anterior to it, he perseveres in rejecting the religion of Catholics, in itself, as a disqualification from exercising the civil offices of the state. He has not confined his sentiments to the walls of this House, but has repeatedly submitted them to the tribunal of the public. I am therefore the less disposed to leave those publications unnoticed, as they have run through repeated editions, and at the present hour are of continual reference by writers of exalted name and character. In one of those works, intitled “An Examination of the Claims of the Roman Catholics,” he asserts that “the whole Romanists of Ireland had entered into a conspiracy with the French Directory to overturn the government.”

In his speech of 1803, which is also before the public, and which I had on a former occasion noticed, he observed that every Catholic reasons thus, “we are from conscience traitors,” &c.—[Here sir J. H. was interrupted by Dr. Duigenan, who complained of being misrepresented and partially quoted.]—Sir J. H. replied:—I can assure the House that I have not misquoted the publications of the right hon. gentleman, nor are the passages quoted at all weakened by the context:—I have taken some pains to ascertain their authenticity by the avowal of the publishers, and will answer for the correctness of what I have stated from the right hon. gentleman’s tracts and published speeches: I am nevertheless disposed to believe that the right hon. gentleman, however mistaken in his opinions, is actuated by a sincere attachment to his country, and I know that he enjoys the esteem and friendship of many individual Catholics; but if

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these be his real sentiments, how much are they at variance with the declarations of our recent statutes, in which Catholics are recognized "as good and loyal subjects."—He however maintains this night, as well as in his publications, the impossibility of Catholics amalgamating with their Protestant fellow subjects, and that the excess of their religious intolerance is the cause, that they regard every person who differs from them in religious communion, as "doomed to eternal damnation."—In one of his tracts the right hon. gentleman indeed expressly states, that the Irish Romanists look upon Irish Protestants, as only "estrays from hell during their continuance on earth," and "believe them to be the living agents of Satan," and that this is the doctrine propagated by the Roman Irish clergy. Such is his commentary on the doctrine of exclusive salvation as taught in the Church of Rome; and such a construction is, but too generally, thrown in the teeth of our Catholic fellow subjects. Candour, however, should direct us to turn to our own articles. Is not the 18th article of the Church of England apparently no less exclusive of the Jew or the Quaker, and indeed of every sect not received into the Church by Baptism, than any creed of the Roman Catholics is? and can we forget that we hold the Athanasian as well as the Apostles' and Nicene creeds in common with the Catholic? But the right hon. gentleman will say, look at the commentary upon our 18th article. The Catholic will reply, look to ours; and both should, no doubt, be regarded with scrupulous attention by the advocate of Christian charity. To enter into the detailed reasoning of schoolmen on this delicate question, is little suited to the time of the House; yet I cannot but observe that there is no imputation that presses more heavily upon the Catholic than this very charge of his uncharitableness towards all others who differ from him in religious tenets. It is in vain, says his opponent, to talk of being united in the "bonds of affection" with those holding such opposed opinions: opinions which must ever be considered as having a practical and sinister operation in social life: in this view, therefore, our time will not be ill bestowed in referring to the construction of those whose authority is most respected in their schools and universities. To this end, I will name the treatises of Hooke, of Bailly, and of De la Hogue,—all of them great theologians

and professors heretofore of the universities of Paris, and the latter now professor of divinity at Maynooth*. I will name also the

* The object, in enumerating these authors, was to suggest the best means to ascertain Catholic principles by those works of the most accredited theological and ecclesiastical jurists, which were received, as class books, in their universities and other public seminaries of education. Those above named are pre-eminent among their class books. The valuable Institutes of Hooke are now scarce, being out of print. He wrote and taught as a professor of the Sorbonne. Bailly was also a professor of the Sorbonne. His "*Tractatus de Ecclesiâ, ad usum Seminariorum*," printed at Dijon in 1783, is one of great authority. Since that period he has published a new edition, and has been constrained to insert some articles adapted to the present constitution of the Church of France. The edition of 1783 is likewise published under the official approbation of professor De la Hogue, of the Sorbonne, at that time Censor. The "*Tractatus de Ecclesiâ*," of professor De la Hogue himself, is such as was taught by him in the university of Paris, and is now the class book, in theology, of the college of Maynooth, where M. De la Hogue is professor. Mr. Foster is also mistaken in calling William Allen the founder of the college of Douay. He supposes him to be the founder of an Irish college. The Roman Catholic clergy of Ireland were not educated in that college, nor in any other seminaries that sprang from it: also, he is mistaken, in contending that the banished Jesuits of England resorted, in the first instance, to the college of Douay; at that time no Jesuits had been in England. A reference to Dodd's History and Particulars of the Seminary Guests, will correct these mistakes in a most able and interesting speech.

Mr. Foster in his late speech in parliament, complains, "that though the college of Maynooth has subsisted for seventeen years, he had never met with any person who could ever inform him of the course of studies actually pursued; that the lectures are read from manuscript courses," &c. Mr. Foster seems not aware that professor De la Hogue, in 1809, published three volumes, comprehending the course of theological studies, which embrace also the whole ecclesiastical polity of the Church of Rome, as applicable

works of professor Schrame, a learned Benedictine monk, compiled expressly for the universities of Germany, and sanctioned by the highest ecclesiastical authorities. The works of those theologians have been

to foreign states. His works are, "*De Religione*" "*De Sacramentis*" and "*De Ecclesiâ Christi*:" the latter, comprehending a treatise on General Councils, which was referred to, with the book in his hand, by the late Chancellor of the Exchequer, on the debate on Mr. Grattan's motion. And here it may be necessary to mention the circumstance under which Mr. Perceval introduced his observations, which was, by reading the title of section, p. 166, viz. "*Concilia, convocatione et celebratione generalia, sunt infallibilia.*" Sir J. H. thereupon calling across the House to Mr. Perceval, "infallibility in doctrine only," Mr. Perceval, with some air of triumph, turned to the last page of professor De la Hogue's Tract, and quoted, speaking of the Council of Trent, "*Itaque maximo in pretio illud consilium habere debent omnes Clerici, cum ratione dogmatum sit veluti omnium precedentium Synodorum compendium, et ratione Disciplinæ merito dici possit manuale sacerdotum, vel eorum qui sacerdotio sunt initiandi.*"

After Mr. Perceval had sat down, sir J. H. stated to him the error of his inference, as he took it, which extended to the whole discipline of every general council, and pointed out to him the chapter, '*De decretis conciliorum, quæ adversus independentem regum potestatem obijciuntur.*' In that chapter the councils of Lateran, Constance, and Trent, are particularly discussed, and the same conclusion drawn, as in the answers of the six universities, on every point affecting the independence of civil government. And in a prior chapter, '*circa decreta conciliorum,*' M. De la Hogue quotes the great authority of Bossuet: '*Non decent Catholicis, quæcunque gesta sunt in conciliis, ea ad ecclesiæ fidem pertinere:*' and also, '*Multa etiam sunt decreta quæ non pertinent ad invariabilem fidei regulam, sed sunt accommodata temporibus atque negotiis.*'

Such is the authority of Bossuet, bishop of Meaux. Mr. Perceval, on this exposition, very candidly confessed the error of his hasty reference. It is well known that the discipline of the Council of Trent was never received in France, nor in se-

long received as accredited class books in the public seminaries of Catholic education, in France and Germany, and also in Great Britain and Ireland. Having merely named these authors for the reference of such as were disposed to resort

to several other states, except partially, by the express authority of the civil power, rejecting all such decrees as were considered as trenching, in the least, on the civil authority. But this question has been sufficiently discussed elsewhere, to satisfy the most jealous mind disposed to take the trouble of enquiry. England has adopted the provisions of the Marriage Act from the Council of Trent; and in Ireland, six dioceses reject the decree concerning clandestine marriages, while all the other dioceses adopt it, with such other parts of the discipline of the Council of Trent as is conformable to the obligations of the Oath of Allegiance, and no other. M. De la Hogue, in holding out the Decrees of discipline of the Council of Trent, has reserved only such as are in perfect unison with that oath, as may be satisfactorily collected from the perusal of his whole tract; and candour protests against conclusions drawn from partial references.

The '*Institutiones Juris Ecclesiastici,*' of Professor Schrame, were published at Augsbourg, in three volumes in 1774, for the use of the Catholic Universities of Germany, under the approbation of the electoral archbishop of Treves. No tract is of more useful reference in the discussion of this question, and none can be more successfully opposed to all the overstrained inferences in opposition to the due interference of the civil power.

A reference also to the German publicists who have written on the stipulations of the "*Transaction of Passau,*" the "*Peace of Religion,*" and lastly, the "*Treaty of Osnabrug,*" (forming part of the Treaty of Westphalia,) will confirm the soundness of the principle contended for by those who are the advocates for regulations on the basis, though not precisely in the words of the resolutions of the Irish prelates in 1709. We know that Innocent 10, in 1649, protested, by a pontifical bull, against the ecclesiastical stipulations of the treaty of Osnabrug. We also know that none of the states of Germany paid any attention to that bull, and that the Catholic states, nevertheless, remained in perfect communion with Rome.

to their authority, I am more particularly desirous to notice a work republished about two years since in Ireland, under the countenance of the principal Roman Catholic clergy, the names of seven of their archbishops and bishops standing in the list of subscribers to it. The title was, "Charity and Truth, or Catholics not uncharitable in saying that none are saved out of the Catholic Church."

The author, Dr. Hawarden, wrote about seventy years ago; he cites the first authorities of that Church in confirmation of his own exposition. It is the perversely wilful opposer of the faith, as received by the Roman Catholic Church, who in the judgment of that church is pronounced guilty of heresy; it is not the opposer of their communion from ignorance that is so denounced. If the conviction of the mind sincerely resists the exposition of the principles of Roman communion, after a candid search for truth, where that resistance is involuntary, no well informed Catholic will pronounce against him the formidable sentence of eternal exclusion from salvation.

This tract cites the high testimony of Saint Augustine in support of this charitable construction. "If they," says Saint Augustine, "who hold an opinion in itself false and perverse, maintain it with no pertinacious obstinacy; if they have not been misled by their own presumptuous audacity, but have received their error from seduced or lapsed parents; if they be serious and diligent enquirers after truth, and manifest a disposition to yield to it, when found by them, such persons are on no account to be set down as heretics." I am not disposed to add any thing further on this point, as the high authority which St. Augustine holds with Catholic schoolmen, indeed little short of apostolical, is decisive upon the erroneous judgment formed by Protestants as to the Roman Catholic construction of exclusive salvation. Herein, therefore, there is no rational bar opposed to the unity of the Catholic with the Protestant, in "affection as well as interest." Interest may bind the unworthy to each other, but affection is the healthful shoot of worthy minds. It is our duty to clear away every obnoxious weed that can impede its growth, and none can be more obnoxious, in the present view, than the misconception now noticed: in a word, the Roman Catholic Church holds, that every person is received within its pale by baptism, by whom-

soever administered: "that involuntary error is not exclusive: and that the Church has its concealed children in the sects separate from its unity."

Many members of the House cannot but have noticed a series of letters published in the Morning Post in the course of the last week, under the signatures of a "Real Whig" and "Melancthon," arraigning the civil integrity of Catholics, as holding the doctrine of dispensing with oaths, and deposing sovereigns: it is not just to the petitioners to pass by these revived though antiquated charges without notice. That many individual Popes have held and have acted upon such principles is but too well substantiated; but it is contended by the Catholics that no general council, nor the see of Rome, properly recognized as such, 'in cathedrâ,' ever declared such doctrines to be the doctrines of her Church. When individual pontiffs originally acted in the spirit of such principles, they relied upon their temporal strength, chiefly derived from the aid of powerful states supporting them for their own purposes; but in latter times, when Pius 5 fulminated his excommunication and deposition of Elizabeth, who among her subjects were found obedient to his mandates?—A solitary individual, who affixed the impotent bull on the gates of the bishop of London's palace;—and, in consequence, paid the just forfeit of the law, while Elizabeth found herself surrounded with her Catholic subjects with arms in their hands, repelling the menaced invasion of the Catholic Philip. Gregory 13 was indeed ashamed of the impotent rage of his predecessor, and declared his bull, as the subjects of Elizabeth had before interpreted it, a nugatory act. But assuredly the repeated declarations and renunciations upon oath, founded as they are on unquestionable Catholic principles, and most pre-eminently, the solemn official declaration of the see of Rome itself,*

* This declaration was made in answer to the application of the Irish bishops on the subject of the Pontifical oath. Mr. Perceval was of opinion that the saving clause, 'salvo meo ordine,' did not sufficiently cover the allegiance of the subject. The Catholic bishops think otherwise; and we may here refer to the construction of Father O'Leary; a character deservedly respected for his loyalty as well as his learning, and whose merits had been repeatedly recognised in the Irish parliament. In the

in the late pontificate, in 1791, which has been already adverted, supply the best answers to such imputations.

The dangerous assumption and encroachment of sovereign pontiffs are admitted then to have existed?—doubtless they have existed; and every state has, in its wisdom, thought it advisable to provide effectual barriers against them,—none more so than this kingdom in the days of our Catholic ancestors. The Catholic still seeks that security in every foreign state of Europe; not less for the independence of his Church than for the safety of his civil establishment. Those wise provisions of our Catholic ancestors still exist on our statute books; sleeping

defence of his conduct and writings, in answer to the bishop of Cloyne's objections drawn from the Consecration oath, he says: "In the midst of it is inserted, in express words, a saving clause, which speaks the dignity of Catholic bishops, and reconciles their allegiance to their respective sovereigns, with the canonical obedience due to their head pastor. 'Salvo meo ordine.' This clause does away every difficulty, and leaves the sceptre in the Prince's hands, whilst it leaves the censor in the hands of the Pontiff. 'Salvo meo ordine,' as a subject, bound to give Cæsar his due, and to pay allegiance to the reigning powers in whose states I reside. 'Salvo meo ordine,' as a minister of the Gospel, who is to preach the word, and who takes the oath in no other sense than to prosecute by arguments and impugn by persuasion, reason, and good example, those who are of a different persuasion. Any other prosecution or persecution, let the term be what it may, is inconsistent with humanity, much more with the order of a Christian prelate, who takes not, who cannot take the oath in any other sense. Bishops never take that oath in any sense injurious to sovereigns, or to civil society. The sovereign Pontiff knows they do not. Before they are consecrated, they are bound to swear allegiance to their respective sovereigns (in Catholic states) who are as jealous of their privileges as any Protestant monarch can be. Were any more jealous of the rights and prerogatives of their crowns than the kings of France were? And yet did they apprehend any danger from this very Consecration oath which is objected to?"

In the English ordinal, the archbishop asks the bishop elect, "Are you ready to

indeed when the times call not for their application,—while our later provisions, enacted subsequent to the Reformation, are virtually impracticable from their exaggerated and sanguinary penalties. Of the latter description is the statute of 13 Elizabeth still unrepealed, but defeating itself. In deference to this provident wisdom of our Catholic ancestors, let us look back to the constitutions of Clarendon, the statutes of Provisors, of Præmunire, of Mortmain, and to Magna Charta itself. Let us act in the spirit of their wise policy, adapted to the circumstances of the times, and authorized by the corresponding vigilance of every state of Europe, whether Catholic or Protestant. Of this description also were the guards in contempla-

banish and drive away all erroneous and all strange doctrines, contrary to God's word, and both privately and openly to call upon and encourage others to do the same?—Answer "I am ready," &c. But the Coronation oath taken by the kings of Scotland, and particularly as taken by king William and queen Mary, is the best commentary, and of that we shall speak in another place.

It will be recollected, that in the last debate on Mr. Grattan's motion, Mr. Yorke produced in the House what is termed the "Blue Books," or the controversy on the interpretation of the oath originally introduced in the act of 1791. That controversy would long since have been buried in oblivion, did not Dr. Milner from time to time take pains to revive it: and it may now be proper to say a few words in relation to it, which sir J. H. also stated to Mr. Perceval and other members on the Treasury bench, while Mr. Yorke was speaking to the point.—Three of the Apostolic vicars, and many of the clergy, dissented from the precise terms of the proposed oath—they contended, that some of the propositions were inaccurately qualified, though they made no opposition to any declaration of the duties of civil allegiance in the most extended moral sense. Without going into details, it is sufficient to observe, that the scruples of the bishops were attended to in the House of Lords, and bishop Horsley became their advocate. The bishop of London and Mr. Pitt were also of opinion, that their scruples were fairly to be maintained; and the oath as it stands at present, in the act of 1791, was substituted in the place of that originally introduced.

tion concurrently with the measures projected at the period of the Union with Ireland. Some of these measures have been very ill understood and industriously and wilfully misrepresented, particularly that noticed in the debate in 1808, on a question similar to that now before the House.

I will now beg to call the attention of the House to some circumstances,—much blended, indeed, with my own conduct as an individual, yet so materially connected with the general policy of the present question, that I would trust to a still further extension of their indulgence by adverting to them. My opinions possibly might differ from those of some of my parliamentary friends, as to the importance of the reservations of which I have been uniformly the advocate, they were all nevertheless endeavouring to attain the same salutary ends, though by different means. Some of the petitioners, perhaps, under the influence of misrepresentation, which was so predominant, may, in reference to those reservations, consider my view of the subject as prejudiced and even intolerant: but it is neither: I am only conscious of pursuing their best interests; and if I have not their praise, I am determined to deserve it. Invidious names had been assigned to measures, which duly stated and understood, are, even on Catholic principles, unexceptionable. The "Veto" is a name given to one, as is the repelling denomination of an "inquisition" to another; yet both those guards are considered as practicable and healthful institutions by all Catholic, as well as Protestant Europe. "Give a dog a bad name and hang him," is a vulgar, but strictly applicable adage. That the proposed ratification of the crown, in the appointment of Roman Catholic bishops, or, to give it the name of the day, the Veto, was "forced upon the Catholic prelatry of Ireland in the reign of terror" is a popular assertion. Nothing however is less true; and of its fallacy the noble viscount on the Treasury bench (lord Castlereagh) will doubtless speak.

It is well known by many members of this House, that I was not only in correspondence upon the subject of the Catholic arrangements respecting Ireland, at that period, with the noble viscount himself, and with many of the King's ministers, but with some of the most considerable prelates of the Catholic Church at home and abroad. The contemplation of

those arrangements is to be traced much further back than the year 1799. For in the year 1794 it formed the subject of correspondence from Rome, between myself, at that time residing there, and a right hon. friend, then of his Majesty's councils, one of the brightest ornaments of that House, but now unfortunately no more (Mr. Windham.) By a peculiar combination of circumstances, it is also well known that I then possessed the confidence of the principal ministers of the Pontifical state, and had in consequence been induced to undertake many public negotiations of considerable importance, under the sanction of his Majesty's government. It is true, indeed, that my name has never been honoured with a place on the civil list: I trust, however, that the results of my humble efforts, on those occasions, have not been less useful to my country.

I will now request the patience of the House, to be permitted to state the nature of a transaction, which though not one of those officially authorised, must yet be considered of great importance as applying to the scope and principle of this question, and evincing also great liberality on the part of the ministers of the Papal government. It is well known that a number of young persons were educated in the three national colleges at Rome, for the purpose of exercising the mission of priests in this kingdom. The superiors of these colleges, having the entire direction of their education, being Italians, the national clergy were naturally anxious to procure a reform in favour of themselves, and applied to me, urging me to exert my influence in their behalf. The national prelates of the Roman communion had, in vain, solicited this reform for a period of more than twenty years: the interest of the several cardinals protectors, (for each nation has one,) who had the nomination of the superior of each college, being obviously opposed to the wishes of the national clergy, I ventured to urge the reform on this principle, namely, that it was reasonable that the see of Rome should have every security in favour of the ecclesiastical education obtaining in those seminaries, while the state, in which the students were ultimately to exercise their spiritual functions, should be equally secured of their attachment to its civil institutions. Pius the 6th admitted the solidity of this principle, and ultimately decreed that the national institution should be surrendered to the direc-

tion of the national clergy. The succeeding troubles resulting from the incursion of the French, dispersed the members of those foundations altogether, and the reform was completely carried into effect in favour only of one of the national foundations before that dispersion.

It appeared desirable also that the precarious tenure of the apostolic vicars resident in Great Britain should give place to a class of prelates independent of foreign controul. The apostolic vicars were merely appointed "*ad sedis apostolicæ bene placitum*," while bishops ordinaries could be removed only for canonical offences, canonically proved. As I have heretofore entered more fully into the reasons for supporting such a change in the internal discipline of the ecclesiastical government of the Roman Catholics, in this part of the United Kingdom, I will now content myself by observing, that this reform appeared equally agreeable to the Catholic clergy and laity, and in a state view, was highly beneficial in its principle, and that I obtained a declaration from the late Pope, as well as his principal ministers, that such a reform should be granted whenever it should be desired by our government:—but it was observed by them, that if such alteration appeared merely as the spontaneous act of Rome, it would be exposed to misrepresentation. Such was the according disposition of Rome at that period; and for many other proofs, I have only to refer to facts which have often been stated in the House. It is the principle of these minor arrangements that should be kept steadily in view, in legislating on the more important question now before the House, and in which the Catholic and Protestant have a common and a deep interest. "Without justice to the Catholic," as an eminent prelate of the Church of England, (the late bishop Law) asserted, "there could be no security for the 'Protestant establishment:;' nor is it less an act of justice to the Catholic, to secure his Church from foreign encroachment, than to concede those civil privileges, for which he petitions the legislature, with security to the establishment.

In reference to these transactions, the present seems a fit occasion to advert to the extraordinary change which had taken place in the opinions of the vicar apostolic of the middle district, (Dr. Milner,) who had not spared the press in disseminating these opinions, creating great dis-

trust in the minds of those of his own communion, with but little advantage to the cause of the petitioners before the House. The principle of an intercourse with the crown, as an additional security for the civil integrity of those appointed to vacant sees of the Roman communion,—and the institution of practicable guards against the possible encroachment of the see of Rome, such as the provident wisdom of other states had instituted,—had been urged in a tract, supplementary to a speech on the motion of Mr. Fox, in 1805, and which, soon after that debate, had been pretty widely circulated. To the republication of that tract, Dr. Milner had given the most marked approbation, even by defending it in a series of letters, from the criticism of one of the periodical reviews of that day. From the opinions maintained in that tract, I have never swerved. The principal securities against the encroachment of a foreign jurisdiction were therein distinctly stated, with the authorities which sanctioned them. One of the most prominent of those securities, has, in a pastoral address of Dr. Milner to the Roman Catholics of his district, been qualified with the opprobrious epithets of "a new Inquisition, or a Star Chamber." This Inquisition, nevertheless, as he terms it, constitutes a marked regulation in the municipal code of almost every Catholic, as well as Protestant state; and even in Spain, so late as in the year 1761, was strengthened by extended powers, operating against that literally formidable Inquisition which has been justly held in terror and detestation throughout the world.

[Sir J. H. then stated particularly the nature of those restraints from the encroachments of foreign jurisdictions, by referring to the rescripts of the empress of Russia, of the emperor of Germany, of the kings of Spain and Naples, and the ordinances of the governments of Tuscany, Venice, Milan, and other states. He also referred to the proceedings of the new government of France, which had, almost verbatim, adopted the institutions of the old *regime*: observing, that although the Pope was prostrated to France, yet had it provided the same barriers against the possible encroachment of Rome, as if she had been in the plenitude of her power.]

The principle of all these regulations is domestic security from foreign encroachment. In Russia, soon after the imperial edict which created the episcopal see of

Mobilow into an archbishopric, and the empress Catherine had appointed that archbishop and a coadjutor bishop, with an annual stipend, the late Pope Pius 6, commissioned cardinal Archetti expressly to invest the new archbishop with the Pallium, (the badge of his archiepiscopal dignity,) and also to consecrate the new Catholic Church, which was done with great solemnity. Nevertheless, in that very edict, the reception of all bulls and writings, from the Pope or in his name, was interdicted, except such as were on examination permitted to be published within the empire, and no ecclesiastics of foreign appointment were permitted to enter the state. But these restrictions, whether of Protestant, Schismatic, or Catholic states, I have often noticed, and have adduced unquestionable documents in support of them. I now advert to them merely to demonstrate that Dr. Milner's change of opinion was not authorized by any change of my own. For such were the institutions recorded in the tract of which Dr. Milner was once so warm an eulogist, of which he had written a detailed defence, of which in the year 1806, a large number of copies were transmitted to a metropolitan Roman Catholic prelate of Ireland, at his own request, for distribution, and of which the re-publication has been repeatedly called for, at the instance of some of the most eminent characters of the Irish Catholic prelacy, as well as by others, who, in that part of the United Kingdom, are now the most forward in impugning the principles it inculcated.

It was then considered as "a *voto ragionato* of the most reconciling nature, delivered by a character of trust and weight, by one who possessed alone the confidence entirely of the highest order of the (Catholic) teaching body, and of all those who are competent to judge of Catholic affairs." Such was the opinion pronounced upon it by one who solicited its re-publication, on the authority and in the name of a distinguished prelate of the Roman Catholic communion in Ireland.

There are many facts and circumstances which ought to be very deliberately weighed, in order to enable parliament to form adequate provisions upon a question of this description, otherwise they would involve themselves in anomalies similar to those of the English act of 1791, which went through the House with a rapidity little suited to permanent and salutary legislation. The unanimity which then pre-

vailed in parliament, was, in fact, injurious to its provisions, and to the object they had in view. The tract just alluded to speaks of some of those anomalies; and I shall beg to avail myself of a future occasion to speak of them more in detail.

Of the Irish act, which followed, in 1793, I shall now beg permission to make a few remarks, as a right hon. gentleman, who took a conspicuous part in that proceeding, is now in his place, and its history was not a little remarkable. The oath which constitutes the test, in that act, was framed by that learned gentleman himself, in place of one of a more simple construction. The learned gentleman anticipated that an oath proposed by himself was calculated to meet general approbation, and the government assented to the change. A member of the Irish parliament (the late Mr. Forbes) objected to it "as ridiculous;" the right hon. gentleman nevertheless maintained his ground. "The Catholics," said he, "have published a declaration as the ground of Protestant confidence; they have been charged with holding tenets injurious to the social compact by which states exist; the belief that this charge was true, has been one great reason for not entrusting them with power; in their declaration, they deny the charge; I am glad they do. I believe them to be honest men, and therefore I desire they will swear to the words of their own declaration." Such was the opinion of the right hon. and learned gentleman, in 1793, of the estimation in which Catholics held the sacred obligation of an oath. Those who look back to this recorded declaration of the right hon. gentleman, and to his memorable letter to the right hon. mover of the present question, in 1797, when he anticipated, "that in the event of our union all rivalships and jealousies between Protestants and Romanists would cease for ever, and that it would not be necessary to curb Romanists by any exclusive laws whatever," must necessarily exclaim "Quantum mutatus ab illo!"

With respect to the proposition of the negative of the crown in the nomination of the Roman Catholic prelates exercising their functions within the realm, I feel great reluctance in so frequently adverting to it; but the almost daily publications, and the sinister influence of the misrepresentations on that subject, necessarily presses it forward. Of the temper of the times in which it was originally introduced, and of my own correspondence

upon it at home and abroad, I have repeatedly spoken. Being very desirous to verify the accuracy of those documents of which he was in possession, and particularly the resolutions of the Roman Catholic prelates in 1799; within a few days past I obtained access to the original papers in the possession of the noble viscount, at that period the chief secretary of Ireland. From these, I had the satisfaction to find, that my former statements were in strict conformity to the circumstances which existed, during the negotiation which preceded the Union. On the same basis of proposed arrangement, was the communication made to parliament in 1808. Unauthorized at that time, certainly, it appears to have been, on the part of the Roman Catholic prelacy of Ireland; but so far supported on the authority of their agent Dr. Milner, that the right hon. gentlemen who stated it to the House, considered themselves fully justified in holding out a measure to which they justly attached great weight. But though the communication of Dr. Milner was unauthorized,—was his conduct disavowed, or even censured by his constituents? Certainly not. On the contrary, he had every reason to believe, for a considerable time posterior to the debate, that the full assent of the Catholic prelacy of Ireland, to that proposal, would be obtained in a general synod; and letters of thanks, though not specifically adverting to that proposition, were transmitted from Ireland to a noble lord and the right hon. gentleman who were the movers of the question in either House of Parliament. The question was moved on the 25th and 27th of May, 1808, nor was a murmur heard from Ireland, against the proposition of the negative of the crown, till more than two months afterwards, when writers assuming the signatures of Sarsfield, Laicus, Inimicus, Veto, &c. denounced the measure as pregnant with every evil that could befall the Catholic cause; and Mr. Clinch, a barrister, and deeply versed in scholastic divinity, under his own name, entered the list also, deprecating the adoption of such a concession on the part of the Catholic prelacy.

It was with no small degree of surprise that I heard of the opposition of that gentleman, as he had been so recent and so warm an eulogist of the tract, printed in 1806, which pointedly recognized the utility of those measures now so much reprobated, and which recited the authori-

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ties by which they were supported in other states.

Was it possible to suppose that the four Catholic metropolitan prelates, and six ancient bishops of Ireland, could be so little interested in the security and integrity of their Church, as to have themselves proposed a measure of so fatal a tendency as these writers contend? But let us follow the dates of their synodical proceedings. In January, 1799, the resolutions of the bishops, comprehending this arrangement, were presented to his Majesty's government: in May 1808, the proposal was revived, though now admitted to be unauthorized, by their agent, also a Roman Catholic prelate: and in September, 1808, a synod of the Roman Catholic prelacy was held in Dublin, when they declared that "it was inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of Irish Roman Catholic bishops." It is a known fact that that synod was held principally to deliberate on the specific measure proposed by Dr. Milner, their agent, conformably to their resolutions of 1799; no condemnation of the measure itself, nor of the act of Dr. Milner was expressed. Dr. Milner was continued in his agency, and the synod resolved that any alteration was then inexpedient, &c. To ascertain more distinctly, the sentiments of the prelates on that vote, a letter was addressed to the Roman Catholic primate of Ireland, Dr. O'Reilly, by lord Southwell and sir Edward Bellew, in reply to which the primate declared that "he was certain that in forming their resolution the prelates did not mean to decide that the admission of the Veto, or negative on the part of the crown, with the consent of the holy see, would be contrary to the doctrine of the Church, or to any practice or usage essentially connected with the Roman Catholic religion; but that the concession might eventually be attended with consequences dangerous to the Roman Catholic religion; but that such danger was of a temporary nature, resulting from existing circumstances."

These "existing circumstances" were stated, in a variety of letters of the first authority, and in many addressed to myself, to be grounded on an apprehension formed in the minds of the prelates of the sinister influence of a hostile government; but that the subject being open to be taken into consideration at a more favourable moment, no change of opinion whatever

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was expressed in disfavour of the principle of the negative of the crown.

In February, 1810, the Roman Catholic prelates again assembled at Dublin, and published seventeen resolutions: not one of them negatived the principle of the resolutions of 1799, though they strongly object to another measure, which was a very popular one with the majority of the second order of the clergy and of the laity, and was recommended for adoption by the right hon. mover of the question now before the House, in a similar motion in parliament, in 1811, namely, that of domestic nomination in an election by chapters. The bishops profess that "they seek nothing beyond the mere integrity and safety of their religion," but unfortunately, under the influence of erroneous statements, they reprobate the fifth resolution of the English Catholics of the first of the same month; though conceived in the full spirit of their own resolutions, and they record their thanks to Dr. Milner for his apostolical firmness in opposing it!

It is a painful but a necessary duty for those who are ultimately to legislate on the question of Catholic claims, to follow the steps of these proceedings,—injurious, as I have said, in the highest degree to the cause of the petitioners, because engendering distrust in the minds of many of their friends, and affording a latitude of triumph to their opponents. But how are we to reconcile this applauding vote with the fact? A noble lord of great consideration at this meeting of the English Catholics on the 2d Feb. 1810, put the question to Dr. Milner, whether he should sign the resolution, and was answered in the affirmative. It is a known fact also that the same prelate declared he should not oppose the signatures of any of the clergy of his district, he himself objecting in his character of agent of the Roman Catholic prelates of Ireland! What is there in such conduct that demands the exalted qualification of "apostolical firmness."

That the Catholic prelates founded this concluding resolution on representations extraneous of the fact is too evident, and cannot be sufficiently lamented. In the spirit of those misrepresentations, most of the later works of Dr. Milner are written, in which the old parliamentary supporters of the Catholics are accused of machinations to subvert the Roman Catholic religion, by requiring security for the religion of the establishment; and these charges have been reiterated with so much indus-

try of misrepresentation and perversion of facts, as to have excited the most serious distrust and discontent in the minds of some of the best disposed Catholics, even to the length of producing public meetings to guard against visionary dangers. I will, nevertheless, confidently look forward, with anxious expectation, to the period when all these misconstructions will give way to the force of truth, and to the revival of that reciprocal confidence which alone can insure the successful termination of a cause in which the interests and indeed the honour of so many millions of our fellow subjects are so deeply involved.

It was well known, that I have very recently stood in a situation most flattering to my own feelings; accredited as I had been by the whole Catholic nobility of England, and a most respectable body of others professing the Roman communion, to urge their cause in parliament. No man could doubt of the successful termination of their cause, and I could not be insensible of the honourable distinction of having my name coupled with the fame of an act which was to restore so meritorious a class of our fellow-subjects to the full benefits of the constitution: yet as my opinions were not wholly in unison with some of those honourable persons, as to the precise means of attaining the object, and especially as the measures I had proposed, had been so actively discredited by the misrepresentations to which I have alluded, I declined altogether the honourable trust which had so long been confided to me, wishing that it should rather devolve upon one whose opinions had not been questioned as to the provisions of enactment most suitable to the cause, more especially with relation to the Catholics of Ireland, to whom my own opinions had been represented in a light very ill calculated to conciliate their confidence. Such was the answer I gave to a noble lord at the head of a deputation of Catholics, who had done me the honour to request me to revive their Petition to parliament. I had the satisfaction to find that my motives for declining it were approved; and that a right hon. friend (Mr. Elliot) competent in every degree to acquit the trust with advantage, had since accepted it, and who, with myself, must feel no common interest in the cause, but must be impressed with equal reverence and emulation, when treading in the footsteps of the great character now unfortunately no

more, our inestimable friend (Mr. Windham,) who was originally charged by the Roman Catholics of England as the advocate of their claims. It is indeed true, that the whole of the obloquy to which I have alluded has not fallen on myself. The most eminent characters, in either House of Parliament, have not escaped it; and the most unworthy motives have been attributed to the support they have so strenuously and unintermittingly given to the cause of the petitioners; till at length, distrust took place of confidence, and every step of their friends, on this side of the water, was from time to time marked with some inculpatory declaration or resolution of the associated committees on the other side. Such is the fact, however, I am fully prepared to breast the full surge of popular obloquy, founded, as it is, on misrepresentation, and to console myself with the conscientious discharge of my duty, not less to my fellow subjects of the Catholic communion, than of the establishment.

But though, in speaking of the misapprehensions of the committees of Irish Catholics, I may have something to complain of, I feel it not less my duty to speak in their defence when the occasion offers. In a paper of this morning (the *Morning Post*) under the signature of "Russel," the Catholic Committee and its satellites, as they are contumeliously denominated, are accused of the publication and extensive circulation of Ward's *Errata*, "the most infamous work," as is stated "which was ever printed:" "and that its re-appearance, it is observed, had given just cause of offence to Protestants of all denominations." Of this imputation I can, in the most decided manner, acquit the Catholic committee. The work in question is of a very antiquated date, and a bookseller considering, some time ago, that the question of Catholic claims might excite the active currency of a new edition, naturally sought his own profit in the extended sale. The names indeed of many of the Roman Catholic clergy stand as subscribers, but not a single prelate of their church is of the number; and in a letter which I sometime since received from the titular archbishop of Dublin, Dr. Troy, he judiciously considers it a very ill-timed publication, and regrets much that it had appeared:—least of all was the Catholic committee therefore to be accused of that publication.

Thus much of this charge; but in the same article, under the same signature,

stands another charge, as little supported but not less mischievously directed against the Chancellors of the two Universities, "whose principles are so loose, (it states,) that for the furtherance of party views, the utmost indifference is shewn by them to the fundamental principles of the constitution, and a total disregard to the feeling of the individuals they represent." Of the purity of lord Grenville's conduct in this respect, I will say nothing in the presence of the noble lord on the bench near me, who is so nearly related to the high character thus traduced, nor is it necessary indeed that any thing should be said to repel a charge so unfounded. But of the Chancellor of the University of Cambridge I consider it incumbent upon me to say a few words. It has been my good fortune, for many years, to be honoured with the friendship of that illustrious personage, and to be frequently in his society; but I can take upon myself to say that, to the present hour, I can form no opinion of his sentiments on this question, which has been so often agitated, and of which the implied support constitutes the great offence in the apprehension of the writer of this article. It is possible that the illustrious personage may not have made up his mind fully upon the question, but least of all is his Royal Highness open to a charge of "disregard of the feelings of the individuals he represented, or indifference to the fundamental principles of the constitution." The constitution in Church and State has not a more jealous friend, and this assertion I am persuaded will be assented to by the applauding voice of this House.

With respect to the universities themselves, it is to be regretted that their proceedings with relation to the present question had not originated at an earlier period, and consequently been more decorously adopted. Disapproving the object, and conceiving it to be, as they profess, of an injurious tendency, they might naturally be expected to manifest that disapprobation in the constitutional mode they have adopted; but surely the universities would have better consulted their own dignity if they had proceeded with less precipitation. In both universities that precipitation has been but too evident, though not equally so in each. It is a known fact, that the right rev. master of the most considerable college in the university of Cambridge, though resident on the spot, was not apprised of the pre-

posed act of the senate, until the day immediately preceding that upon which the address was voted.

That the apprehensions of many members of those learned bodies had been greatly excited in disfavour of the object of the petitioners was but too evident, and the effects also of those apprehensions had extended very widely. Diocesan charges of some prelates of the establishment, discourses from the pulpit, and the daily emanations from the press, adverse to their cause, have all contributed to keep alive the influence of antiquated prejudices, though resisted by other prelates and divines of the most eminent talents and learning, whose attachment to the national Church is above suspicion. Much, however, as that influence, in the extent of its operation, is to be lamented, it certainly ought so far to be respected, as to prompt us to direct every effort to inform the judgment of those who have viewed the question through the prejudices of so many centuries, and at any rate, to avoid precipitation in a measure which involves so considerable a departure from the policy of our ancestors. No man can look forward more confidently than myself, to those constitutional benefits the state would derive from ultimate concessions; but no man can deprecate those concessions, more than myself, if unaccompanied with such securities as may satisfy the minds of the most timid, in a rational view of their nature and extent.

When the question is roundly and concisely put, and the answer given, that a repeal of every act of restriction, with unlimited concession, is that which is demanded; alarm is naturally excited, and we are disposed to ask—whether the petitioners really mean that no barriers should be opposed to the possible encroachment of a foreign jurisdiction? From the period of the conquest, at least, our Catholic ancestors did think it incumbent upon them to provide such guards; and such has invariably been the course adopted by every other state. No rational objection can, in a dispassionate view, be made against placing the Catholic subject on the same footing as he stood, anterior to the Reformation, with respect to every essential civil privilege, reserving to the state that unquestionable security for its establishment, which it never can consistently relinquish.

It is a matter of interesting and even entertaining research to look back to the

pages of our own history as connected with this subject; when our Catholic ancestors, animated with the jealous spirit of enlightened patriotism, secured their freedom, by raising at once a barrier against the encroachments of the crown and of the tiara. Nor indeed, were the sovereigns of those days (with very few exceptions) more disposed to submit themselves to the papal yoke, than their descendants of the present hour.

The historian of William the Conqueror records his resistance against the assumption of Gregory VII.—the most enterprising of the ancient pontiffs, in extending the temporal influence of the see of Rome,—who, with the demand of what is termed Peter-pence, insisted also upon homage for the crown of England. The answer of William is on record. "Of these demands," says he, "one I have granted; the other refused; homage I would not, nor will I do; for I did not promise it myself, nor can I learn that it was ever done by my predecessors."

A requisition was also made of Edward the First by Pope Boniface VIII. that he should desist from his expedition against Scotland, as the Pope claimed it as a fief of the Church; the king submitted the Papal demands to the English barons, who resisted the interference of the Pope with the stout independence of the true English character. "Our lord the King" (say they to the Pope) "shall not plead before you, nor submit to any trial or enquiry, or send messengers to your court; especially as such proceedings would be in manifest disinheritance of the rights of the crown of England, and the royal dignity; the evident subversion of the sovereignty of the kingdom, and the prejudice of the liberties, customs and laws, which we have inherited from our fathers; to the observance and defence of which we are bound by our oaths, and, with the assistance of God, will defend, with all our strength."—Such was the language held by English Catholics to a Pope, when Papal influence was in its zenith.

We find also that William of Gainsborough, bishop of Worcester, in 1302, was fined a thousand marks by the king for receiving a bull of institution from the Pope, which committed him to the charge of the temporalities as well as the spiritualities of his bishopric, and was compelled publicly to renounce the obnoxious clause, and to declare that he held the temporalities of none but the king.

The memorable circumstances, attendant on the promotion of cardinal Adrian by Henry 7, to the bishopric of Bath and Wells, are not to be passed over in this part of the enquiry. The cardinal was then at Rome, and the king named the bishop of Worcester, the dean of St. Pauls, and Hugh Young, professor of divinity, to receive from the cardinal an abjuration of every pretension of the Pope that could constructively militate against the prerogatives of the crown, or the independence of the state.—“I renounce, says he, all and every word, clause and sentence in the apostolic bulles directed to me concerning my aforesaid bishopric, which are prejudicial to my sovereign lord the king, or his heirs, or the rights, customs and prerogatives of the kingdom.” This oath was administered to the cardinal at the very foot, as it may be said, of the pontifical throne.

[Sir J. H. then adverted to various documents recognizing the antiquity of Catholic allegiance subsequent to the Reformation, referring to Dodd's History of the Church and other authors. He also noticed the adverse opinions of prelates of the establishment; those of bishop Barrington, of bishop Sparke, and of bishop Huntingford, and opposed to them the contrasted sentiments of bishop Watson, of bishop Horsley, of bishop Law, and of bishop Bathurst, who in their speeches in parliament, or in charges to their clergy, had borne the most honourable testimony to Catholic loyalty, and most of them contended in favour of their admission to the full benefits of the constitution.] The speeches of bishop Bathurst in 1801 and 1811, are of particular interest: in the latter speech that liberal and enlightened prelate has referred to the interesting correspondence between archbishop Wake, and the ecclesiastical historian Dupin. The attachment of the archbishop to the Church of England, had been never questioned, (as bishop Bathurst observed,) yet he shrinks not from the candid exposition of his Catholic correspondent in stating the doctrines and discipline of the Church of Rome; still less does he arraign her doctrines as pregnant with “idolatry, and blasphemy, and sacrilege;” nor the Catholics themselves who hold the “confession of the council of Trent, as enemies of all laws, divine and human, and such as should be excluded or driven from our courts and our armies!”

It cannot be too much regretted that

such opinions have been pronounced by such eminent authorities, and while modern publications are industrious in propagating opinions so injurious to such a vast mass of our fellow subjects, comprehending not less than a fourth of the population of the United Kingdom, I feel it my duty on the present, as I have also on a former occasion, to oppose to them the contrasted sentiments of other prelates, not less eminent for their talents and devotion to the interests of the establishment. Indeed, so little influenced by such prejudices was archbishop Wake, that he scruples not to avow in that correspondence with Monsieur Dupin, that, “in the doctrine of the Church of Rome, as explained by him, there was no great difference of opinion between them;—still less as to ecclesiastical discipline, and in fundamental principles, whether of doctrine or discipline, they scarcely differed at all,” or, in his own words—*In dogmatibus, pro ut à te candidè proponuntur, non admodum dissentiunt; in regimine ecclesiastico, minus; in fundamentalibus seu doctrinam, seu disciplinam spectes, vix omnino.*

Such was the opinion gravely and deliberately expressed, by one of the soundest of our theologians, and one of the brightest ornaments of our Church; but what is of more importance for parliament and the public to ascertain, in the present view of the question, is the real state of Catholic principles, as applicable to the integrity of their allegiance,—and whether the declarations so repeatedly made by Catholics, be, in fact, strictly conformable to the tenets of the doctrine, and essential discipline of their Church.

But, says the Catholic—Do we not abjure, on oath, all those obnoxious tenets which are imputed to us?—The answer will probably be given, as it has been but too often given, “Yes, you swear indeed, but the dispensing power in the estimation of your Church will relieve you from the moral responsibility of your oath!” Such, however, I am persuaded, would not, nor could be the answer; if that body of evidence were to be laid before the public, which would unquestionably appear on the report of such a committee, as I have so often, and so earnestly pressed upon the consideration of the House, namely, a select committee, constituted with the usual powers and latitude of investigation. Such a report would shew to the country the basis on which parliament proposed to

legislate. How often and how beneficially are such elucidatory reports circulated for the like purpose, even upon ordinary occasions? And where can there be found an object so seriously demanding such an exposition, under all the circumstances, as that great object, at present, before the House. Need I say that it involves a most striking and material departure from a policy which has been the received policy for ages; and the negative side of the question, it must be admitted, is in unison with our earliest prejudices, prejudices sincerely admitted, and with difficulty to be eradicated. The mere act of legislation, however great the parliamentary majorities with which it may be carried, will still be comparatively unsubstantial, till hailed by the according public voice, enfranchised from its prejudices. The human mind is not so readily liberalized as civil franchises can be extended by the mere act of legislation. The Catholic would soon see and impressively feel the justice and prudence attached to such an intervening course as that proposed. At every step, his political character would brighten, and every hour would give new strength to his cause. In a word, he would become convinced that the great object in view was cordially to bind the Catholic to the member of the establishment, by the reciprocal "ties of affection" as well as "of interest," ties, such as the legislature has recognized to be the paramount principle in the laws hitherto modified or abrogated on this subject: And in the full spirit of that principle it is that I shall give my most cordial assent to the preliminary and necessary step, comprehended in the motion of my right hon. friend.

Mr. W. Bankes.—I should be as much overrating my own powers as undervaluing the time of this House, if I were to pretend to expatiate over that wide extent, or to wind through that intricate labyrinth of topics that have from time to time been discussed, as part of the present question; or if, after it has passed so repeatedly under discussion, and through the hands of such men, I could hope to set it in any new point of view. But happily for me (I may perhaps say happily for all who take part in it,) the field of argument lies before us contracted and retrenched, it has shrunk into a narrower basis, its boundaries have been defined, and its defenceless outposts abandoned. There are

now but few minds in which this measure confounds itself with a toleration of religious exercise, and as few voices that are raised to urge it as a claim of natural paramount right.

I stay not a moment therefore to demonstrate how fully that toleration is enjoyed, how necessary I deem it that it should be, how much I rejoice that it is. Still less will I stay to advert to the glaring inconsistency of talking of the natural rights of citizens, it is the coupling of terms which are in plain opposition to each other, that of a citizen being purely an artificial relation: what may be the rights of man in a savage and unsocial state concerns us not: he who talks of civil rights can mean no more than what the laws and constitution of the state do actually recognize, or, consistent with its security and well being, might admit. But I have done with this. These are positions which, in the heat of argumentative contention, were seized on for their loftiness, they have been isolated and untenable, and are abandoned. Stripped of the martyr brightness of persecuted faith, stripped of the tragic mask of outraged humanity, the question has at last approached us in its own proper character, in the simple quiet form of a question of state expediency. We have heard it in the thunder and in the whirlwind, and here at last is the still small voice!

This warning voice appeals not to our compassion, not to our remorse, not to our piety, but to our terrors and our sense of danger. To this altar we are to fly for our own security; this we are to embrace that we may escape: it is to be our palladium; and, like Constantine we are to conquer under the sign of the cross. How! it is said, in times of peril and difficulty like these, how! when every wind under heaven is driving upon us, shall we leave some of the main timbers of our fabric unfastened, to vibrate with every gust; perhaps to crush all in their separation! When the world stands arrayed against us, shall we not strive to be united at home, to stifle all animosities, and heal all divisions? Most assuredly. I do more than admit its truth, I feel and I urge its necessity. It is this very consideration led me to weigh this question the more attentively, it is this very consideration that has decided me in opposing it. With this ardent desire of unanimity, is it possible that I can accede to a measure which seems to sow the seed of new struggles and new

rivalships, from which I can augur nothing but tumult and ferment in the outset, and intrigues and jealousies to all aftertimes. It is this I deduce from the experience of all history, and anticipate the future from the retrospect of the past. But we are told that times are changed. What! so changed and so disordered that none of this experience will apply? Then I will ask, are these disordered times, times for experiments that are doubtful, and innovations that are sudden?

Is this a time to turn state alchymists, to tamper with the crucible, and to mingle ingredients which in their combination may explode?

Four millions; it is urged! "Four millions," is repeatedly dinned into our ears, as if this were *per se* an irrefragable argument for this concession. Now let those hon. gentlemen remember that if, on the one hand, this may seem to enforce the expediency, so on the other, in a like proportion, it must increase the hazard; and as I am not surprised that those who advocate this cause feel encouragement from those numbers, so let not them be surprised if to him who discerns in it the sources of mischief, it appears just by so much the more formidable. The intimidation may work in opposite directions, if it daunt them from refusing, so it may daunt us from conceding this power. It is a sword that has two edges; it is a colour that will tint and heighten either sketch.

For my own part, I would to heaven I could think it safe to grant their Petition; and this not so much an incitement as a recompense! We hear that our fleets and our armies are full of these brave Irish, and it is this makes me grieve to reject their prayer. It is because they are brave and they are loyal; it is because in spite of their disqualification, we have their services; it is because, at this moment, I am contemplating them, covered with wounds and with laurels, around the walls of Badajoz, that I would fain have seen them in the enjoyment of their heart's desire; and this without diminishing the grace of the boon by proving to how very few any real sensible benefit could result. It is true, they are brave, and they are loyal. But are they above the ordinary passions and interests of human nature? Are they not men? Will they not act as all other men have done in parallel cases? It is notorious that there is a superior degree of zeal and of activity, and a firmer principle of co-operation in all smaller

bodies whatever, as distinguished from the community at large; and this is found to obtain the more where a religious difference constitutes the line of separation.

But, for the present, I will waive this last circumstance, and consider this body with whom we have to treat, simply as a numerous class of subjects who have views and interests in common, who are accustomed to think and act collectively, who are recognized as a distinct party, and peculiarly so embodied and organized at the present time. So far, in this view, from imputing any peculiar malignity, it is rather in the social virtues themselves that I trace a source of mischief; in gratitude and fraternal fidelity.

Now, can it be supposed that men thus long accustomed to act in concert, embarked in one common cause, brothers in debate, brothers in risk and in perseverance, in the very hour too when they receive the accomplishment of their wishes, in the hour when their hearts are full, and when success has shewn them the strength of their co-operation, is it to be believed that they (the badge of whose league, let us remember, emancipation will not supersede, nor oblivion wear away,) will, so soon as the pasture is opened to them, mix indiscriminately with the herd? Will they become one with the mass of the people, and drop as water to water? Will they not continue to feel as a party? Will not the chords of their passions vibrate in unison? Will they not be perpetually dreaming that they are favoured or discountenanced as Catholics are advanced or passed over? Will it be matter of indifference whether one of themselves or any other be selected? More especially let us consider the lower orders. What exaggeration have they not heard of the importance of this acquisition? What expectations have they not formed? They have been taught to estimate the greatness of the boon by the measure of their own importunity. For my own part, I cannot conceive but that it would be ground of murmur and complaint, if they do not themselves discover some sensible benefit. But how, if it should so happen, that none of their whole body be called into immediate notice? Is it the part of a multitude to consider that (however numerous) yet bearing but a small proportion to the nation at large, the lot can but seldom be expected to fall amongst them? No; they will look to their own numbers; they will reflect upon the four millions, and (as

seems to be much the fashion upon that side of the question,) they will forget the eleven. But they will sit down satisfied that they have nothing more to claim. Will they? What! have they none amongst them upon whom their eyes will more particularly be fixed? Will they not be fixed upon those chosen leaders whom they have long supported and obeyed, whose names and services are familiar to them all, whom in gratitude, in allegiance almost, they must feel themselves bound to advance, and whose exaltation must appear their own?

We know how much every faction is disposed to magnify its leaders, and most of all a struggling faction; ultimate success is not likely to diminish this high-conceived opinion. Then surely it will be matter of astonishment to those who think they have among them the most qualified and the most worthy, the most able and the most eloquent, should the door stand open, and yet upon looking in they should behold no brother Catholic welcomed into power. And will not this astonishment turn to suspicion and disgust and resentment? Yes, it will turn, and will turn the most upon those who have laboured to encourage the delusion. For at present this measure seems only likely to take effect in the case of those gentlemen coming into office, who (if we may judge from recent circumstances,) are the most desirous to have it all to themselves. And in that case they will soon discover their ignorance of human nature, if they have conceived that such a multitude has been for years exerting all its strength for the attainment of a bare remote possibility, without any one definite expectation of substantial advantage. Let them congratulate themselves if, for a time at least, the ebb of their Catholic popularity is delayed. For, let the million, (which is most unlikely) be never so fickle, never so forgetful of its leaders, will those leaders be as forgetful of the million? Will they for ever hush the call that could awaken them, and the signal that could bring them together? Such power is too tempting to be always resisted. Such power is too great to be willingly put into the hands of any man. And influence founded on the gratitude and regard of thousands, who could throw aside?

It is in this view that the present moment seems to me so peculiarly inexpedient; now that the ties of fellowship have been drawn so close among the Catho-

lics, now that they are enrolled in a sort of congress or convention, now that they are so so systematically combined, and have so readily the means of keeping up a communication and understanding amongst themselves; at such a moment I say it is most unsafe to set the seal of success to the bond of unity. Do what you will, at such a time, to amalgamate this faction, it will not crumble into mere individuals, it will not melt into the mass of the people. Be the country at never so low an ebb, such a replenishment is hazardous: it will but pass as the Rhone does through the Lake of Geneva, without mingling its waters; it will not indeed taint the purity; it may extend the surface, it may raise the level, it may deepen the shallows; but will it introduce no cross current? Will it slumber in the still calm bosom of the lake, and forget its homage and tribute to the ocean?

But it is a party, now you say it is; and I think I have proved that if its object be attained, it is likely to continue so; but it is now a party without power, and it is then to be a party with power; here is the distinction. I do not say it will necessarily abuse this power, but I ask is such a body nothing thrown in the lump into the one scale or into the other? Nothing for the spirit and intrigue of party to work upon? May not times come when, on the one side or the other, they will bid high for such a support? May there not be those who would be for keeping such a body in good humour upon any terms? What fatal concessions then may it not be at least in their power to extort from a declining minister or an eager opposition? And all this, let us remember, however eventually pernicious to the state, however fatal in the very outset to our Church establishment, in a cause which, besides that it is their inclination and their interest, it is in them virtue, it is piety to advance.

For let us now consider a little more closely, what is the badge and link of association that is to hold this body together, what this characteristic which no consolidation with the community at large can do away. It is a peculiarity of religion. What does this not promise of perpetuity? What not of zeal and of courage to the cause?

When I add that it is the Popish religion, does nothing more occur to us? It is not the mass; it is not the eucharist; it is not the invocation of saints and angels;

it is not the solemn requiem for the dead. These have neither my hatred nor my ridicule: I venerate their antiquity, I respect their imposing sublimity; for my own part, I would not be ashamed, though my soul were lifted with the stream of their incense, or though I put up a prayer at the sound of the passing-bell. Not all these gorgeous superstitions could dispose me to acquiesce in their exclusion: not all these did actually induce our wiser ancestors to exclude them. I would no more fear a man, simply because he adored the Virgin Mary, than, on the other hand, I would have formerly feared a Puritan, simply because he sickened at an organ, or a surplice.

No, Sir: it is, because the keys of heaven were made to unlock every thing that is valuable upon earth; it is because the tiara is too much made up of terrestrial crowns; and the priestcraft, (as is somewhere well said) has what Archimedes wanted, another world to fix its engines upon, and so can do what it will with this. It is not that the Romish religion is dangerous, is hostile to all civil government. (Whoever maintained so absurd a position?) To some forms of civil government, to monarchy, even to absolute monarchy it is favourable: but it must be a Catholic monarchy; it is dangerous, it is hostile to every other. It is said, even to a proverb, of the element fire, that it is "a good servant and a bad master;" now the very converse is true of Popery; where it has the ascendancy, nothing is to be apprehended from it to the state, where it has not, it is to be dreaded and guarded against.

I will not go through the detail of these doctrines and maxims, which have so fully, at different times, been exhibited to this House, and which, in fact, a very moderate acquaintance with history must have forced upon every man's attention; I forbear it, because it is superfluous, and I forbear it from inclination; I am not for visiting upon this generation all the usurpation and iniquities of their forefathers, I would not advert to this to render them obnoxious, but ourselves secure. I am not for using retaliation, but I am for using experience.

Now I am aware, Sir, that these doctrines and maxims have been solemnly disclaimed, I am ready to admit they have been disclaimed at the very fountain-head, by those from whom such a disclaimer comes with the most authenticity and the

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most weight. But upon examining the tenor of those documents, and more especially the most explicit and valuable of them all (Pope Pius's letter) we shall find little reason to be satisfied. They deny and they disclaim too much. It is not "that their Church does not, at this day, hold such and such doctrines, but that it never did, it is not that their Church does not arrogate to itself such and such powers now, but that it never did." Now will history bear them out in this? Will their own councils and decrees bear them out? In this view it is not only as to veracity, that the whole statement becomes suspicious.

But, though the assertion be correct, what do we gain from the protestations of a Church whose practice has been so systematically at variance with its avowed principles? for really is it possible that we can look upon the successive and progressive usurpations (I might almost have said lives) of such a series of Popes, as mere exceptions and carnal deviations from the established tenets of their own Church, and with all their infallibility too? It is true, that the maxims are disowned, but in disowning them no change whatever is professed. It is still

"The milk-white hind unspotted and unchanged."

What then is to secure us? We can look back and see what was her conduct in former ages, and when we look forward, what shall assure us that it shall not recur? What, but the want of inclination! A poor security!—Not the want of power and of opportunity, for these we are at once to concede; and to concede, because though their tenets remain identically the same, we are told their practice is reformed ever since these have been in precaution withheld!

Not that I am one of those who are for calling up this apparition in all the terrors with which darkness has invested it, I am ready to grant that these horrors of fire and blood, these plots and persecutions, these engines of excommunication and intolerance, have come down to us greatly heightened by bigotry and prejudice; but I may say in the lines which were originally written of a Popish plot,

Some truth there was, though dash'd and
brew'd with lies,
To please the fools, and puzzle all the wise:
Succeeding times did equal folly call,
Believing nothing, or believing all.

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If I am asked whether, for my own part, I do not really believe, that these baneful influences are wearing out of themselves, I answer, I certainly do: if I did not, I should think that we had already conceded a great deal too much; for I never can suppose that our ancestors imposed these then novel restrictions without experience of their necessity: we have granted more than many successive ages have thought it prudent to grant; let us remember, if the Catholics have changed their spirit, so have we changed their condition; if they have thrown aside their weapons, so have we laid aside our armour. Let any one compare the present condition of Papists, with that in which they stood at the beginning of the present reign; and I think he cannot but admit that, let their temper be never so much improved, concession has at the least kept pace with that improvement—and so it should be.

But let us not be too precipitate; let this proportion still be observed and graduated. Whilst a spark of this fire remains, there is risk; and let us bear in mind too, that at this moment the eagles of France gripe in their talons the thunders of the Vatican. But when at last, (and pray Heaven that day be not far distant) these baneful influences, these obnoxious principles shall be wholly gone and vanished, as though they had never been, then none will more rejoice than I shall to see Catholic and Protestant all upon one footing. But, alas! That day is still in the womb of time; these are not yet wholly gone and vanished; from their own writings I could prove it, from their practice I could prove it, nay, if there were no other, I would need to look to no other proof than their refusal of the Veto!

Now I have mentioned the Veto, I would say a few words upon the subject of securities, without which I must confess I can look to no change of times and circumstances under which I could accede to this measure. Even upon the other side of the House a colour of some security is still held out, though in the same breath so much is thrown in about uselessness, and futility, and inadequacy to answer any purpose, that if we may found any conjecture, or form any probable estimate of what this particular project is from their general language, one would not be disposed to expect any thing very substantial or satisfactory, (if even in point of fact

there is any project at all). I say conjecture; (without offence I say it) for what other ground have we to go upon? We are to pledge ourselves to the measure before the terms are disclosed. One suspects a buyer of no great liberality who is ashamed to name his offer. It is an odd sort of a bargain, where the receiver is to be paid in full, and afterwards trusted to for an abatement. Here we are to set our hands to a bond, in which (what is most material) the amount of the sum, and the nature of the security, is to be left blank! would any creature upon earth treat upon such terms?

Are Catholic dealings to be as contrary to our reason as Catholic mysteries, and are we to dispute neither one nor the other, because they are above our comprehension? But we are told, in particular with respect to the Veto, that there was a time when we might have had it; that that time is passed; that we must concede more in proportion as we have deferred longer. What! is there a sort of compound interest gathering upon these claims? Are they like the Sybil, the oftener rejected, the higher in their demand?

In the present state of things there must be no preliminaries; the offer must be altogether upon the part of parliament, the Catholics will make none! Perhaps there may be some prudence in this, since offers have come of late to be considered matters of insult and of aggression. But really in any other times, I should not have thought it unbecoming a petitioner to be explicit. Let us attend to the reason that is assigned for this reserve; their terms are to be kept secret, because they would else be picked and pulled to pieces, and cried down upon this side of the House. Are they then never to be examined and weighed at all? Surely, if they ever are, the hon. gentlemen opposite, feeling so conscious that these securities are so very unsatisfactory, and certain to be rejected, must see in common with the rest of the House, that it is better this should take place in an earlier stage than one more advanced. Besides, that it would be so much a handsomer mode of dealing, both by the Catholic body, and by the parliament. Can any thing be conceived more productive of ill humour and disgust, more likely to bring things to an ill issue, than to hold out the full expectation, and then, from the insufficiency of the security, be obliged to retract?

Do not those hon. gentlemen know what clamour and irritation arise from baffled expectation? Alas! they do know it. They know it, and are not ashamed to urge this clamour and irritation as arguments for immediate concession. Their speeches are full of the peculiar state of disappointment that presses on the Catholic body at the present moment, they can magnify its bitterness, and enlarge pathetically upon its frightful consequences. And whom have they to thank for this: whom but themselves? Thinking, as doubtless they do, the cause they have espoused a rightful one, it does them honour to espouse it, to urge it, to persevere in it: but is it justifiable to resort to this, to raise expectation to make a handle of disappointment? What they held out in prospect, no doubt, they believed at the time: but, be this as it may, why hold it out at all? What possible good could it do; Instead of quieting, it has quite a contrary effect: does not anticipation increase impatience and restlessness? Does not long expectancy make a boon come, if granted, with the less grace; and if refused, with the more aggravation? And those hon. gentlemen in particular, who are so alive to the terrors of popular disappointment; are they so prophetic that they can venture to pledge futurity? Do they not know that what the multitude looks to, it looks to absolutely? Amid all the chances and revolutions of human events, could they imagine nothing that could revoke or modify this ill timed declaration? No change of times and temper, none of policy and expediency? To some of them I should have thought a change of mind would not have appeared so very astonishing: lord Grenville could certainly have suggested, that such a thing was not out of the course of human events.

How they may excuse this to their own consciences, how to the illustrious personage, whose confidence they boasted, I know not. But really when they gravely advert to this clamour and irritation, so excited, as a ground of concession, it is carrying the maxim of prophecy working its own completion a little too far. As well might a man be called upon to give up his estate, because some soothsayer, by I know not what prognostics, had raised hopes of it in another.

And surely, if mere clamour and irritation are to be urged on the one hand, as reasons for accelerating this measure, it is wise, at least, to look if there is no clamour

and irritation on the other, which ought in prudence to retard it. I will appeal to all these whom the magnitude and importance of this question has drawn together from their retirement in distant counties, from among the "sons of their people," from those opportunities of commerce and communication with the middle and lower classes, which the habits of a populous city preclude.—Is there not a feeling tremblingly alive upon these subjects? Yes, we know that the electric matter is abroad, we have heard faint thunders growling in the stillness of the evening; and have seen the lambent flashes in the distance: shall we choose such a moment as this to set the spire upon this fabric? such a moment to carry its exaltation into the clouds, and to call down the mad fury of the tempest into its very foundations? If there is nothing in this to intimidate us, there is something at least to make us pause, and be doubly sure that we are in the right. We are the representatives of the nation, and let us reflect that, should this measure in the end prove detrimental, we shall not have the consolation that we were urged to it by the sense of the country, and that if in error, we were but in the error of the people.

I know what I shall hear vociferated in return to this. The Popery cry: the dreadful, the atrocious Popery cry! and with what grace from those benches? Have those gentlemen raised no cry? Have they never played upon the passions and prejudices of the people? Let Ireland tell. Let their discussions in this House bear witness. Let that hecatomb of parchment skins upon our table bear record! And where, we have been triumphantly asked by the hon. member who opened this debate, are our counter-petitions, where our columns of signatures to be set off against these?

I will point to two only: in themselves a host. I will shew him the two universities of this land raising their voice against this measure. "*Nos duo turbamus.*" The only two bodies in the kingdom perhaps, upon which a popular vulgar cry cannot be supposed to have any influence. And this august pair alone stands forth! What is the inference? When science, when meditation have stepped forward from their calm retreat, who will believe that in such a cause the acclamation of the multitude could not have been stirred up? that ignorance and prejudice could not have been roused to

utterance? No, Sir, it is not to tavern meetings, not to club politics that we have resorted. In point of industry and assiduity we must confess that others have gone far beyond us. The cry is all their own. It is theirs to observe the profitable practice of physicians, they have a patient in hand, and they will not withdraw the application long enough for the sore to heal, or the fever of irritation to subside.

In point of fact, if the English peasant dreads he knows not what, under the name of Popery, so the Irish peasant importunes he knows not what under the name of emancipation: the one dreams that he has all to fear, and the other, that he has all to obtain. Perhaps I have dwelt too long upon this comparison; but it is neither with a view to recriminate nor to palliate, neither to accuse nor to commend. I do not enquire how much of these opposite cries is imputable to circumstances, and how much to persons; nor how much culpability may attach to either.

But at least, in my view of the subject, I may infer jointly from both, that we cannot be so sure that divisions and animosities will be put an end to by this measure, that all this strength and unanimity will be gained to the country. I may at least infer jointly from both, that however times may have changed, mankind is still the same; and not so altered as to render all experience useless, and all retrospection absurd.

Lord Binning.—Mr. Speaker, the hon. gentleman who has just sat down, has informed us, that this important question is reduced within a very narrow compass; I did therefore expect, that he would have confined his observations within the limits that he himself had pointed out, and that he would not have expatiated as he has done in the wide field of theological discussion. He has informed us that some of those outposts which in arguing this question, gentlemen had formerly been so fond of defending, have long since been abandoned, and that the supporters of the Catholic claims deserting their untenable positions, must now descend into the plain and contend with their opponents on the narrower basis of political expediency. I am ready to accept the challenge, to meet him in the combat on his own terms, and to consider this as a political question.

As to the question of natural right, one of the out-posts to which he has alluded, I entirely concur with him that it cannot be

defended. With regard to the other, the defence of the Catholic claims on the principle of toleration, the hon. gentleman must pardon me if I cannot agree to abandon as untenable, that ground which I think it so easy and so important to maintain.

I will not, however, enter into a dispute with him about the meaning of words. I will content myself with stating at the outset, that I use the word toleration in the sense which has been always put upon it by those who have argued in support of the Catholic Petitions. I use that word not in its narrow and confined sense of mere endurance and protection, but as implying in its more broad and liberal interpretation, a full and entire participation in all the benefits of the constitution; namely eligibility to sit in parliament, and the faculty (without reference to a man's religious opinions) of rising in the state, or in the profession to which he may belong, as high as his talents, his interest, or his services, can carry him.

In all the debates which I have heard upon this question, it is a principle that has been most zealously asserted by the friends of the Catholic claims, that a complete and unlimited toleration ought to be extended to all classes and descriptions of men in a free country, unless when serious apprehensions are entertained that such a state of things will be productive of danger to the religious and political establishments of the land, or to the civil liberties of the majority of the people. I have been always happy to find that this principle has been no less readily admitted on this side of the House, and even by my right hon. friend the Chancellor of the Exchequer himself, than it has been warmly advocated by his political opponents. From this (as it should seem to be) universally admitted principle, it necessarily follows that no political disabilities ought to be imposed, nor those now in existence continued on the King's Roman Catholic subjects, if it can be shown that such exclusive laws are not essentially necessary for the security of the Established Church and civil liberties of the kingdom. But if, on the other hand, it can be shewn, that so far from being necessary or beneficial, they are detrimental to the public interests;—if it can be proved that so far from constituting the bulwarks of our strength, they are the main sources of our weakness, all must unite in thinking that they ought no longer to encumber our statute book. I

am not now arguing that this is the case, but I do contend that such opinions are daily gaining ground, the mists of prejudice are quickly dispersing before the strong light of reason and dispassionate enquiry; year after year the Catholic claims gain fresh proselytes, and many most enlightened men in and out of parliament are of opinion, that they are founded in justice, supported by policy, and can no longer be resisted with safety. Are these things so, and shall we refuse enquiry? and enquiry is all that is called for by the right hon. gentleman in the motion which he has this night proposed to the House. As this is the first occasion on which I have felt myself at liberty to give effect to those sentiments which I have long entertained on this subject, I trust that the House will permit me to preface the reasons which I shall urge in support of the present motion, by a short account of the motives which have hitherto actuated my conduct on this important question. I conceived that an obstacle was thrown in the way of the useful discussion of the Catholic Petitions by the conscientious scruples of a most illustrious and venerable personage. Scruples which, in my opinion, were entitled to the respectful attention of this House from the age, the merits, the character, and the sufferings of the royal person, in whose breast they existed, and which called for the respectful forbearance of the Catholics themselves, considering the many benefits they had derived from his long and paternal reign. I conceived that this obstacle was in its nature insuperable, inasmuch as without the consent of the King, no act of this or the other House of Parliament could be invested with the authority of law, and I believed that necessary sanction would be withheld. I believed that an attempt to force the royal consent would be attended with consequences which I am unwilling even to hint at. I knew that the continued refusal of that assent would draw after it evils so mighty, that to postpone, for a limited time, the discussion of the Catholic claims appeared as nothing in the comparison. A choice of evils was presented to me, and I chose that which on a consideration of existing circumstances, appeared to be the least. Such, Sir, are the motives which actuated me on the different occasions to which I have alluded, and on retrospection, I am so far from incurring the penalty of self-reproach, that, did the same circum-

stances still exist, I should steadily pursue the same conduct. But can any such obstacle be now pleaded in bar of the proposed enquiry? No! By the heavy dispensations of Providence that obstacle has been removed. We have arrived at the commencement of a new æra, and those who are friendly to the Catholic cause are unfettered by the considerations that fettered them before. The time is come to which the Catholics have been taught to look for the indulgent and dispassionate discussion of their claims, and if we refuse to listen to them now, I know not to what new æra we are to refer them—to what new period we are to point as the limit to the duration of the galling restrictions under which they labour.

The question we are now called upon to discuss, derives much of the tremendous importance that belongs to it from the principles by which the ministers of the crown appear to be disposed to meet the claims of your petitioners—principles which, if just, are immutable, and must be considered as of invariable application as long as the government of this empire shall continue Protestant. The opinions of the first minister himself have long been known and always manfully avowed, and his conduct upon this question has been marked by the most perfect consistency; but he has not left us to collect from his former proceedings what his future policy is likely to prove. At the commencement of this new æra he has formed an administration on the very basis of exclusion to the Catholics; he has chosen to mark this æra by bringing into the administration the only public men not belonging to it, who entertain the same sentiments with himself on the Catholic claims. If any doubt then could have existed before as to his probable conduct, that doubt must be banished from every mind by a consideration of the quarter to which he has thought it right to apply for an accession of popularity, reputation and talent to his administration. Would to Heaven, Sir, that instead of thus studying to fortify himself against the Catholics, he had but thought of fortifying the country against the many and pressing dangers that surround it, by seeking to unite the affections of the Catholics to the interests of the state! Such is the ministry selected to meet the claims of four millions of the King's subjects, and such the character of the principles on which they are disposed to act! In the House prepared to

act on those principles? Is it prepared to say not only that the advantages of concession are so imaginary and the dangers of concession so great, but that the very principles of the constitution itself are so exclusive, that without violating them and foregoing all the benefits entailed upon us by the Revolution, we cannot entertain a thought even of granting the prayer of these petitions? This is a doctrine that does not stop short at the refusal of further immunities, but casts a severe censure on every act of grace or favour that has ever been extended to the Catholics of Ireland.

I not only maintain that the House never has sanctioned such opinions as these, but I maintain that there is nothing in the principles on which the Revolution was founded that can justify this monstrous doctrine of eternal exclusion. If we look back to the history of the Test laws themselves, we shall find that they and the fierce resolutions of this House against Popery kept pace with the alarms entertained by parliament at the illegal designs of Charles 2, and the arbitrary and bigoted notions of his brother the duke of York; backed as they believed them to be, and as they were by Jesuitical intrigues, by the emissaries of the court of Rome, and by the degrading and corrupt influence of the French monarch. They believed in the existence of plans for the subversion of the religion and liberties of the kingdom, and they did not hesitate to attribute to the Papists a participation in these designs. On the death of his first wife in the year 1671, the duke of York declared himself a convert to the Romish faith. Shortly after the king issued his famous declaration of indulgence, wherein of his own authority he suspended the execution of the laws against all non-conformists; and it was generally believed that this measure was intended by the court, not so much for the relief of the Protestant dissenters as the Romish recusants. At its next meeting, parliament addressed the king against this declaration, and it ought to be remarked that the principal topic stated in the address is, that his majesty could not legally suspend the law in ecclesiastical matters without the consent of parliament. Soon after this, in 1672-3, they passed the Test Act, by which those whom they thought the advisers and promoters of the arbitrary conduct of the court, were rendered incapable of serving the crown in places or

offices of any description. Let it be remembered that the duke of York, himself a Papist, was then about to marry a Popish princess; that the Dutch war, into which commercial avidity had originally impelled the people, had not then been brought to a conclusion; it had become extremely unpopular, and its continuance was attributed to French and Popish influence. From that time down to the year 1678, the Commons contented themselves with votes and addresses against Recusants and Jesuits; and we shall find that these proceedings always accompanied unpopular or corrupt measures on the part of the court, which were invariably attributed to that quarter from which all evil designs were supposed to emanate.

In the year 1678, parliament, moved or pretended to be moved by the alarms that agitated the public mind on account of the Popish plot, undertook to examine into that monstrous fabrication. One consequence of this examination was, the act for taking from Papists their seats in parliament. If any man in these days was to venture to declare himself a believer in the Popish plot, he would be laughed at as a visionary or a bigot—yet are there now to be found men who seriously warn us of the danger of discontinuing a policy that mainly proceeded from this foul and iniquitous source of treachery and falsehood. It is not to be forgotten, that about this time French influence was at its height, and that the king was justly believed to have been lately engaged in a correspondence with that court through Barillon, its ambassador, (a correspondence that has covered his name with the stain of indelible infamy) and that the country panted for war with France to annihilate this corrupt and Popish influence. I say, then, Sir, it was not because the Romanists were believers in a false creed; it was not because they asserted the real presence in the sacrament, or on account of any of the speculative doctrines of their religion that they were subject to this persecution; but it was because that faith was looked upon as the sure symbol of certain political opinions that were inconsistent with the liberty and religion of the country. It was not (to use a remarkable distinction made by the earl of Bristol, himself a Catholic) as Catholics of the Church, but of the Court of Rome, that the public indignation was excited against them, the heavy hand of the law raised to crush them.

The Test laws passed under the direction of such feelings were found on the statute-book by the illustrious men who laid the foundations of our settled freedom at the Revolution. Nor can it be wondered at that they never thought of repealing them, when it is recollected how principal a part many among them had taken in procuring that enactment. Every thing that had happened since that time must (with their feelings) have tended to confirm that determined antipathy to Roman Catholic policy; that dread of Popish power, which experience and passion had so deeply rooted in their breasts. But, Sir, I do maintain that there was nothing in the principles laid down by them at that time, nothing in their conduct, to warrant the conclusion, that they considered Catholic exclusion as a fundamental ingredient in the constitution, of invariable and eternal application, and from which no circumstances ought ever to induce a Protestant government to depart. Not only is there no proof of their having held,—but I think there is a strong proof that they did not hold any such opinion. I find that proof in the Declaration of Rights, with which they accompanied their tender of the crown to William and Mary. That immortal document, in which they addressed their new sovereign in the plain and dignified language of rational freedom, contained a full enumeration of all their grievances, a condemnation of the wicked principles of government which occasioned them, and a specific remedy for each. In such a paper we must, I think, be compelled to admit, that they set down every thing they conceived to be of fundamental importance, omitting none of those principles, an adherence to which they believed to be essential at all times, and under all circumstances, to the preservation of the liberties they were then asserting, of the constitution they were so nobly employed in settling and defining. Here, however, we find not one word about the test laws, and in their enumeration of grievances (it is singular enough, considering the state of mens' minds at the time, that it should be so,) there is no mention of the Papists, except in a complaint that king James had allowed Papists to go armed, and had disarmed Protestants. What is the remedy proposed for this evil? That Protestants should be allowed to bear arms for their security and defence. Is it possible to conceive that, if these exclusive doctrines,

so falsely imputed to them, had really swayed the conduct of such men as Halifax and Somers, they would have neglected to give effect to them in a document that may be considered as a declaration of their principles? No, Sir, no. Those great men knew that the test laws were innovations in the constitution; they believed them, no doubt, to be justified by necessity and the dangers of the times; but they knew them to be innovations. They were occupied in securing the happiness of a great nation and its posterity, not in narrowing the principles of the constitution, for the purpose of perpetuating the power of a sect. The principles they laid down were few and plain; calculated to ensure the freedom of all descriptions of men in this land, without the exception of any, and from them we never can depart if we would not be slaves. But they did no more. They left matters of temporary expediency to be settled as circumstances should require; and among them they reckoned the test laws, wisely judging that the statesmen of succeeding times would deal with them as necessity might dictate, or policy require their continuance or their abrogation. The internal and external dangers of those times flowed from Popery. Religion had been the engine of James 2, and it was also a directing principle in the policy of Louis 14. Like our great enemy of the present day, all his views were directed to the humiliation and subjugation of England, but his ambition was sanctified in the eyes of all good Catholics (on the continent at least,) by his religion, for he was the champion of the holy see, the eldest son of the Church of Rome, who with the sword in one hand and the cross in the other, fought as much for her glory as for his own power. Our ancestors met this mighty danger as it ought to have been met: instead of propping up the throne of the bigoted tyrant James, they placed the crown on the head of a Protestant prince, the best hope and last stay of the Protestant world; and under him they secured the liberty of their own country, and vindicated the honour and independence of Europe. Is it from the same quarter that our dangers proceed? Did the founders of the French Revolution call in the Pope to their aid? They blasphemed their Redeemer, they denied their God, they trampled under foot their altars and their thrones, and having thus broken asunder all the bonds of human society in their own country,

they proceeded in their impious fanaticism to declare war against all kings, all people, and all religions. It was not to ancient prejudices they appealed, but to modern scepticism—it was not to old and venerable principles, but to discontent, disloyalty, and infidelity. We all know how tremendous has been their success, and we also know that the one man who now directs with equal ability and hatred all the energies that have arisen from this confusion against our still free and happy country, has never been hampered by zeal for Catholicism, nor been suspected of being the advocate of a Church he has enslaved. The Pope is his prisoner, and he invades Catholic Spain; and the only countries where he has met with an obstinate and successful resistance, are the two kingdoms of the peninsula, always looked upon as the most bigoted in their devotion to the court of Rome. Who are their dearest and their best allies in this great cause? Even our Protestant selves. Why then, is it not monstrous to tell four millions of our countrymen who wish to become more and more identified with us, in interest as in danger, that we cannot trust them because they are Catholics, and that the principles of our constitution, unalterably fixed at the Revolution, forbid us to examine into the justice of their complaints. Such would not have been the conduct of the great man taken from us by an early death, such was not his conduct. We all know what the wishes of Mr. Pitt were on this subject, and I am firmly convinced that, had he been still alive, we should this night have witnessed the exertions of his astonishing eloquence on behalf of his Catholic fellow subjects.

Do not let it be supposed, from what I have said, that looking back from this distance of time, at the transactions that preceded and accompanied the Revolution, I view with pleasure and approbation all the harsh measures adopted against the adherents of the Church of Rome: far from it: precautions might be necessary; but in what was done there was too much passion. The Romanists could not have prevented the Revolution; it was the work of the nation: and all the resistance to it would have been vain and ineffectual.

But, Sir, the genius of Popery is unchanged and unchangeable!! This is a favourite assertion with the opposers on principle of concession to the Catholics.

We are told that we cannot admit them to parliament or to office, because they must be bound by their religion to act against the public liberty; because they would not think it necessary to keep their faith with heretics, if any religious consideration tempted them to break it; and because they would think themselves entitled to violate their oath of allegiance, as often as the interests of their faith seemed to require it: and all these accusations are founded on the idea, that as members of an universal and infallible Church they lie under the obligation of the most submissive obedience to the orders of their supreme head. It is most unquestionably true, that the Roman Catholic religion, taken as a system of religious faith, is in its nature unchangeable, and that unchangeableness is founded in the nature of an universal and infallible Church. But this infallibility is declared by every Catholic in existence, to be confined to matters of religious faith and Church discipline, whereas these accusations are every one of them of a moral and political nature. There is not one that can be asserted to be a question of Catholic faith, and those who make such charges must be prepared to contend that, of all human beings, the sons of the Church of Rome alone are incapable of changing as the world changes; and that in spite of the revolutions of ages, they remain eternally and immutably the same. What a doctrine is this for men of common sense to advance in these days of philosophy and liberal enquiry? Sir, the grossest injustice has been done to that unfortunate class of men, by thus confounding together matters of faith, things necessarily unchangeable, with matters of opinion, changeable in their nature, and varying in every age and in every country. The Catholics deny that they now hold, or, as a body, ever did hold, these monstrous doctrines that we impute to them, and I believe them. It is hard to charge upon the Catholics of the present day, the ambitious and antisocial principles of some of their usurping pontiffs and intriguing prelates. It is hard to charge upon them as matters of fixed and received doctrine, the false principles promulgated in the worst times, and in the darkest ages, for the purposes of local ambition, or for the establishment of ecclesiastical tyranny. It is worse than absurd to ransack the history of human crime and human folly, from the Crusades to the

Reformation, and from the Reformation to the Revolution, to extract from this disgusting mass certain false doctrines and pernicious heresies, and all this for the liberal purpose of charging them as matters of unchangeable faith on the devoted heads of a large class of our fellow subjects. It is not thus, Sir, that we deal with other classes of men; with respect to them we leave it to Omnipotence (if to him it shall seem fit,) to visit the sins of the fathers upon the children. We should think it the height of injustice to impute to the excellent and respectable clergy of the Church of Scotland any love for the barbarous absurdities that, amidst their many and stern virtues, (for many stern virtues they had) disgraced our early Scottish reformers. No one, I believe, imputes to the modern clergy of that country the smallest desire to revive, or to the people of Scotland, to submit to the vulgar ecclesiastical domination that prevailed in the golden days of the Solemn League and Covenant: yet is it the very same church, with her assemblies, her synods, and her presbyteries, with all her judicatories, unaltered and unalterable! But the times are changed, and with them, the feelings of men. Those days are past; and the taste for such uncouth tyranny is gone for ever.

Who reproaches (as it would be most unjust to do) the university of Oxford, with holding, in these days, all the doctrines enforced in her far famed decree in the reign of James 2? Does any one stigmatize the venerable prelates and enlightened clergy of the English Church, by throwing in their teeth the sins of the court of ecclesiastical commission that domineered over men's consciences in the reigns of Elizabeth, and James, and Charles? No one imagines, for a moment, that the right rev. prelate, now at the head of the bench, (who has proved himself to be the friend of toleration) or his brethren the bishops of England and Ireland, entertain the high flown and exaggerated notions of the well-meaning, but obstinate and bigoted Laud. It would be most absurd to do so. The characters of the men and of the times alike forbid it. It is for the Catholics alone all our illiberality is reserved; they alone are unchangeable; with all the vices of their ancestors, and all their own to answer for, emerged in all the bigotry of the dark ages, and therefore unworthy of credit or countenance in the present day. It is

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cruel to attempt to palliate our own harshness by such arguments as these; it is unfair and unmanly thus to add calumny to injustice. If such had been the character of the Catholic religion, the human mind could have made no progress in the countries in which it prevailed. But we are all aware, that liberality of sentiment, religious toleration, aye, and rational freedom, too, have flourished in Catholic as well as Protestant soils. Were the Catholic cantons of Switzerland enslaved, and is Calvinistic Prussia free? Learning, and the sciences, all the arts that tend to sweeten life, and to elevate the mind of man, have been brought to the greatest perfection among nations devoted to the religion of the Church of Rome; and we ourselves admit, that under that faith, as under our own, man may improve in virtue here, and be prepared for a better life hereafter. Let it be remembered (as it was well urged two or three years ago, by the Catholics of England, in one of their petitions) that the very first foundations of our civil liberty were laid at Runnymede, by our ancestors professing the faith of the Romish Church, and that we owe to Catholic valour the triumphs of Poitiers, Cressy, and Agincourt. Had it not been for the free spirit of our Catholic ancestors, that glorious monument of freedom, our Protestant constitution, never would have existed. Far be it from us then to suppose that the Catholics of the present day are so blind to the merits of their forefathers, as to be insensible to the blessings that originated with them, because they have been matured under a Protestant government.

It is impossible not to admit, that those who are adverse to the Catholic claims, on the grounds to which I have adverted, reason in a manner most consistent with their own principles, in regretting the length we have already gone in the path of concession. If their principles are sound, their reasoning is most correct; for it does appear the very height of absurdity to imagine, when all the power that property and influence can bestow, is put into the hands of a great body of men, that its possessors should refrain from exercising it, (as political power always is exercised) for the purpose of promoting their own fair interest, and of removing from themselves the pressure of any hardships, by which they may deem themselves wantonly aggrieved. I cannot therefore but think that those who freed

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the Catholics from so many of the restrictions under which they laboured, who bestowed on them the power of acquiring and devising real property, the right of voting at elections, and the other political privileges they now enjoy, must have intended to go further, and cannot have viewed these concessions any otherwise, than as the foundation of a system, the object of which was ultimately to grant to that numerous body all that in reason or justice they could require—a participation in all the benefits of the constitution, in common with their Protestant fellow subjects. When we consider who it was that advised his sovereign to recommend to the parliament of Ireland the grant of the elective franchise, and when we advert to his subsequent conduct, can we entertain a doubt that his intentions were such as I have described. Mr. Pitt, endowed as he was with the richest gifts of nature, was incapable of believing that a man could spend the prime of his life in the study of the law; that he could for years gather the laurels, and earn the profits of his profession at the bar of his native country, and yet indulge no wish beyond, no desire to preside in a court he had perhaps adorned by his talents, or enlightened by his knowledge. He was not so ignorant of human nature as to imagine, that the love of military glory could carry a gallant soldier into foreign climes, to brave danger and disease, and death, at the head of his battalion, or his company; and yet that it should not make him pant with all the noble ardour that belongs to such a feeling for the honor of leading a brigade, or heading an army of his victorious countrymen. Mr. Pitt never thought that a great Catholic proprietor could see himself invested with influence enough mainly to contribute to the election of a Protestant member of parliament, without looking forward with eagerness, to the time when that influence might be exercised on his own behalf, or on that of a brother Catholic. He knew full well that the very way to make men grasp at a favourite object, is to put it almost within their reach; and he never would have placed it there, had he not intended that they should obtain it. If the principles of the Catholic faith are incompatible with those of the constitution, why did you ever give them political power? If they are not, for what reason do you withhold from them what yet remains to be granted? You have told the Catholics, over and over again, that

they are good and loyal subjects; and you have gone further than empty words; in consequence of this good opinion of them, you have trusted them. Have they proved themselves unworthy of your trust? If not, why, in the name of consistency, do you refuse them your entire confidence? The situation in which the question now stands is precisely that, in which, consistently with reason and common sense, it cannot be maintained; and by placing it there, we have made a most material difference in the argument to our own disadvantage. As long as the penal laws remained in full force, the Catholics had nothing to hope but from peaceable demeanour and good conduct on their part. The *onus probandi* lay on them. They had to prove themselves worthy of being admitted within the pale of the constitution. You thought they had succeeded in their proof, and you admitted them accordingly to a very large share of power and influence. By so doing you took the burden of the proof from the Catholics and imposed it on yourselves; and you must now shew that it was just and wise in you to do exactly what you did do, and no more—that the Catholics are worthy of confidence exactly to that extent, and to no greater. You must show that no danger existed up to a certain point in your progress, but that there the danger began; and when you proceed to your proof, you will find yourselves in a dilemma. Every single argument that goes to justify your present conduct, goes equally to condemn your past; and every argument that you can adduce in support of your past policy, goes equally to condemn your present conduct.

Can we maintain for a single moment, that it was fit to trust the great body of the people with all the enormous power that flows from the exercise of the elective franchise, and yet that it is unsafe to allow a Catholic gentleman to be the high sheriff of a county?

Can you say that it is safe to entrust a regiment to the care of a Catholic colonel, but that it would be eminently dangerous to commit the command of a brigade to a Catholic general? The thing cannot be—if a man is unfit on account of his religion to be a general, he is unfit to be a colonel; if he is unfit to be a judge, he ought not to be allowed to acquire influence as a barrister; if he is unfit to be a member of parliament, or even the sheriff of a county, he ought not to be entrusted with the elective franchise.

There is not a question concerning Ireland that comes before us, in which we do not feel the full effect of Catholic influence in this assembly; or do we imagine that it is not Catholic influence, because it acts through Protestant representatives. But I know not what difference this makes in our favour; on the contrary, I fully concur in what fell from a noble friend of mine (lord Castlereagh) on a late occasion, who seemed to think that from the necessity of the situation of these hon. gentlemen, they are compelled to follow Catholic impulse with more devoted zeal than even one of that persuasion would, who might always be enabled to moderate, frequently to lead, where the others are under the necessity of following, in order to prove their sincerity to their constituents. It is scarcely too much to say, that the Irish Catholics have all the power in this House that they ever can have, but that you rather choose they should enjoy it under circumstances naturally irritating to their feelings, and therefore less advantageous to the public peace, harmony, and union.

We are often told, Sir, that to nine-tenths of their population, the admission of the Irish Catholics to a full participation to the rights of British citizens, would be of no manner of consequence; and that in point of fact, they have no feeling upon the subject. To dwell long on such an argument as this, would be to waste the time, and abuse the indulgence of the House. I am at a loss to conceive by what infatuation it is, that gentlemen argue in a way so inconsistent with their knowledge of the first principles of human nature, so at variance with what their own experience must have taught them in their communication with the lower classes in this country. We are told that the Irish are a warm people, not slow in comprehension, and sensibly alive to feelings of national honour. Are such a people incapable of understanding that it is an insult to their faith to exclude all persons professing it from honours and from power, because on account of that faith they are deemed wholly unworthy of trust? If such feelings did not naturally suggest themselves, do gentlemen think that no pains have been taken to make them comprehend that such things are, and are a stigma to them? A Catholic may vote at an election for a Protestant, but he cannot vote for his Catholic landlord, and he knows why he cannot; this

surely must come home to the bosoms of them all. But because in a calculation of chances, it appears that not one in ten of the Catholic population of Ireland, would rise in the world in consequence of what is called their emancipation, therefore we suppose that taking a sober and interested view of the question, they are indifferent as to its result. It is not thus that great bodies of men feel and reason. Things of no importance whatever, if estimated according to their real value, trifles light as air, when men's feelings and imaginations have been once interested in them, are too often invested with a consequence which, but for these powerful aids, could never belong to them. How much more then must this principle apply to a question so interesting to national pride, working upon the warm hearts of a lively and generous people.

Well, then, allow that the question of emancipation deeply affects the mass of the Irish people, and we are next told that they are unfit for it. There is something, it seems, in the character of that part of the nation, that renders it eminently unsafe to clothe them with additional powers, at all proportionate to their increased numbers and influence.

They are a lawless, discontented, ignorant and turbulent race. I beg leave to question the accuracy of this account to the extent to which it is carried. I have no personal knowledge of the state of Ireland; but I am inclined to believe, that this picture is considerably overcharged. I am inclined to believe, that the happiest results have flowed from the immunities already bestowed on that people; and I consider this as a great encouragement to us to proceed in the same wise and conciliatory course. There are, I fear, considerable defects in the present character of the commonalty of Ireland, proceeding not from the nature of the men, but from the moral and political disadvantages they have so long been subjected to. But suppose them to have all the faults that are imputed to them—to whose fostering care are they to be attributed? Under whose tuition have the people of Ireland been reared up in lawless turbulence and ignorance? I fear we must look to our own Protestant statute-book for an answer to this question. I will not detain the House by any attempt to shew the fatal consequences of the infamous infraction of the treaty of Limerick, or to describe the penal laws as they existed in the plenitude of

their power. I will only say, that they were peculiarly calculated to mould and form a national character on a model so base, that so far from blaming those on whom they operated for their defects, ones astonishment is excited at the existence of the many virtues that are by all attributed to the Irish population. The penal code interposed between man and man, in the most private and domestic concerns of human life; it sowed divisions in families; it set the son as a spy upon the father, and made the father jealous of the child the law of God ordained him to protect. The Irish Catholic knew the law of his country only as an avenger, not in its character of a protector. The law that secured to all other men the full possession and free disposal of their property, restrained him in the use of it, by the most capricious enactments, and deprived him of it on frivolous pretences and infamous informations. His religion was rendered an earthly curse to him, instead of a blessing; and his conscientious adherence to principle was construed into a crime against the state. All this was gravely done (not in days of ignorance and barbarism) but in the 18th century, in the light of day, in a civilized country, by the legislature of a free people; and then, instead of thanking Providence that the Irish still remain a generous and a gallant race, we turn short round upon that devoted class to reproach them with the natural consequences of our own oppression. By so doing, we do them injustice and inflict punishment on ourselves.

I know, Sir, that many sensible and good men, rejecting such arguments as these, still entertain the most serious apprehensions for the safety of our religious establishments, should measures of concession to the Catholics be carried into effect. 'Actum est de Ecclesia,' if any but her own true sons are admitted to power and influence in the state. I look upon this to be a groundless alarm. I have too good an opinion of the faith I profess to consider it in any other point of view. I will maintain against the whole world that the Protestant religion is founded on Scripture and on reason, and it is not in these times that I am much inclined to dread the effects of Catholic logic in turning men from what we deem the truth. All I can say is, that if Protestantism cannot be defended by Scripture and reason, that it must fall, and that all the tests in the world will not prevent its overthrow. The churches of Eng-

land and Scotland are deeply rooted in the affections of the people in these parts of the kingdom, and are supported by the endowments of the state; but the moment they cease to command (which I believe they never will) the affectionate veneration of Britons, it is not a system of exclusion that will give them an hour of life. A passion for Catholicism is not the characteristic of these times—it is not Catholic fanaticism that I dread—the current of danger does not set in from that quarter. But from whatever quarter it may proceed, I am sure that exclusive tests will prove rather a source of weakness than a tower of strength to our religious establishments. Their unnecessary continuance may create danger by creating enemies—their abolition will diminish danger by conciliating good-will. The political, if not the religious affections of men will be won over, and they will become solicitous to support a system under which they will enjoy the most perfect toleration—a blessing which they could not hope for under the dominion of any other form of ecclesiastical government.

Let it be recollected that at this moment we have the question in our own hands, to reject or to grant as to us may seem fit. The time may come, however, when what we shall concede may lie under the suspicion of being wrung rather from our necessities than our good-will. If that time should ever arrive, we may not find it so easy, as I really hope we now should, to provide those guards and securities for our establishments, which I am decidedly of opinion ought to accompany our acts of grace to the Catholic body. With respect to securities, I will content myself with saying, that I am perfectly convinced some safeguards will be found not only politic but necessary; though as a friend to the Catholics on one hand, and our establishments on the other, I beg leave at this time to decline entering into any further discussion about them. Experience has taught us that such discussion can have no effect but to defeat the object I, for one, have in view; and so far from agreeing with the hon. gentleman who spoke last, that we ought not to go into the committee, because we have not previously settled this important matter, my chief inducement to agree to that proceeding is, that we have refrained from any promulgation of our sentiments on the subject. It is not very usual, before you proceed to negotiation, to give the other

party the advantage of knowing all you mean to concede, or all you mean to require; and I approve of the motion of the right hon. gentleman (may I not call him the venerable assertor of the claims of his countrymen) because I apprehend that in the committee we need not go farther than to ascertain the present state of the penal laws. When we have done so, it does not follow that we shall do more than report to the House how they now stand, in order that they may be laid at the foot of the throne, with an humble address to his Royal Highness, praying him to take the situation of the Catholic body into his gracious consideration. Leaving the matter of securities to be settled by government in the first instance, preparatory to the ultimate decision of parliament.

I am not one of those, Sir, who expect from a change of system, with respect to Ireland, any sudden or miraculous improvement in the circumstances of that country. Such changes are in their nature gradual; in their progress, slow and imperceptible. It is by kindness and conciliation on the one hand, accompanied by a firm and vigorous execution of the laws on the other, that the state of Ireland is to be ameliorated, and all her most invaluable resources drawn forth. Conciliate the peaceable and loyal, that you may be able to controul the turbulent and refractory. But I do look for one immediate and incalculable advantage from such a policy on our part, a change in the feelings and temper of the Catholics of Ireland, a change that will induce that gallant population to flock in increased numbers to our standard, with the liveliest emotions of gratitude and attachment. We talk of the security of our exclusive system. Show me that we shall recruit our army by an addition of thousands of brave Irish Catholics, available either for our home defence, or for the increase of the force serving under their illustrious countryman in the peninsula; and I shall think we have done more for security, than all the tests can now do that the dread of the Pope ever wrung from the fears, however well founded, of our ancestors. Sir, I believe there is to be found among the Catholics of Ireland wisdom and talent, capable of enlightening your councils, and leading your armies. We know them to possess a valour equal to the glorious task of extending or preserving your empire abroad, and of shielding their native shore from the pollution of

foreign invasion. At this awful moment do not refuse to avail yourselves of the means of defence Providence has put into your hands.

I would here address myself to the Catholics, and I would exhort them, as they expect conciliation from us, to be themselves conciliatory. The time is coming for the favourable consideration of their claims. Let them be peaceable, let them be loyal, and they have my warmest prayers for their success. I love them as my countrymen, I honour them as fellow-Christians and as freemen, and I look forward with eager expectation to the time when they shall be united with us in interest and affection, as they already are in law and government.

Colonel Lemon said, that the motion went simply to enquire into the propriety of removing restrictions; and it should therefore have his support.

Mr. O'Connell.—Sir, I am ready to admit that there is no question, which, from its immense importance, is more entitled to discussion than the present; nor is there any man more ready than I am to admit, that no individual should be called to an account before any human tribunal for his religious faith, nor excluded on account of that faith from civil privileges, unless there was something in his creed injurious to the interest and safety of the state, under which he lives; but I do not consider that any question of that kind is at all connected with the motion before you, and which I conceive purely a question for granting further extension of political power to the Catholics of Ireland, and the policy of such extension is the real question which we have to consider. It has been endeavoured to draw an argument in favour of this extension to the Catholics of Ireland, as if the question was connected with our present contest for the defence of the Catholics upon the continent. But, Sir, I think it is our object to fight the battles of those oppressed nations upon the continent, independent of any question about their religion. Our object is to maintain the independence of those nations, and of Europe, on a field which affords us the opportunity of contending with better effect against the enemy; and this, Sir, I conceive, is not fighting the cause of the Catholic religion, but the cause of the rights and freedom of those nations, with whom we are in alliance,

and I am therefore at a loss to conceive how it can be argued that there is any connection between our battles there, and any extension of political power to the Catholics of Ireland. We have nothing to do with the religious establishments of other countries, but we are bound to secure our own, and therefore, Sir, I shall dismiss this subject with this short observation, that we are bound to fight the battles of Europe against the common enemy, without that circumstance having any connection with the Catholics of Ireland.

The present question is clearly reduced to one of political expediency, in which our judgments are to be regulated by a consideration of the advantages or disadvantages likely to result from granting or withholding the proposed concessions. In my opinion, Sir, nothing could warrant such concessions at the risk of the security of our own establishment, but the most imperious necessity. I am told, Sir, that the end proposed by these concessions is to tranquilize and unite the people of Ireland in our common cause, and that the measure would conciliate and render unanimous all ranks of his Majesty's subjects in that cause. But, Sir, I do not think that such a consequence would follow; but, on the contrary, I think that the temporary calm which such concessions might produce, would be followed by a tempest more arduous and alarming; and a pretty good proof of this has been advanced from the other side of the House; for it appears from the advocates of the Catholics this night, that expectation naturally increases with power, that the more we have given, the more is asked; and that if you grant what is now required, the Catholics of Ireland will proceed farther, and never be satisfied without a perfect equality in all the powers of the state. The consequence of which will be, that conscious of that power, and heated by religious animosities, Ireland would soon present a struggle for power between contending parties, which would speedily terminate in the ruin of the country. I found, my opinion, Sir, on this ground; that all the great body of the Catholics are intent upon this question, and eager to press forward to the possession of power. But I do not think the measure would be productive of those benefits either to the happiness or the tranquillity of the Catholic body, which its advocates seem to anticipate. The object of the motion,

Sir, is to render the higher order of Catholics in Ireland eligible to offices in the state from which they are now excluded; but I do not see how this can affect, or have any reference to the civil or religious liberty of the great body of Catholic population; nor do I think the great body of the Catholics are at all interested. It could confer no benefit upon the great class of Irish peasantry, for their circumstances, like Protestant subjects of the same rank, would exclude them from any participation in those advantages to which it is now proposed to render Catholics eligible. Their habits of life and education must debar them from any advantages likely to accrue to the higher orders. Does any man imagine that the peasantry of that country feel any interest in this question? They now can, in point of fact, have the free enjoyment of the exercise of their religion, and the protection of any property they may acquire. The law does all it can for persons in their condition of life, although they, like others, may sometimes have reason to complain of temporary sufferings. I do not think the situation of the Catholics of Ireland materially different from their Protestant fellow-subjects of the same rank in this respect; but that they are at present fully competent to enjoy with the same freedom, all the comforts and privileges of their rank; and it would, in fact, seem to me, rather offering an insult to the Catholic population to propose rendering them eligible to situations which they are never likely to enjoy. If the Catholics stand in need of consolation, it must proceed from a very different source than rendering them eligible to hold offices in the state, which they are morally incapacitated from fulfilling; and I think, Sir, the measure is not calculated to conciliate the minds of the Catholics; and I ask, would it be palatable to the great body of Protestants? In answer to this, Sir, I may be referred to some petitions on your table, said to come from a considerable portion of the Protestants of Ireland, in favour of this measure. But, Sir, notwithstanding the arguments I have heard founded on this circumstance, yet I am convinced that a much larger proportion of his Majesty's Protestant subjects in this empire are completely averse to it, contemplate it with alarm, and sincerely deprecate it, as affecting the very existence of their constitution; and therefore, Sir, I am far from thinking it competent to produce the unanimity which gentle-

men so confidently anticipate. Having stated my opinion, Sir, that this measure would not produce the consequences so ardently expected from it, I hope I may be indulged with the liberty of stating some of the dangers which I think more likely to arise from it. In the first place, Sir, it appears to me, that dangers very alarming to our establishment, may arise from granting political power to so large a portion of his Majesty's subjects, professing such implicit submission to the court of Rome. There is a bigotry and intolerance in the doctrines of that Church hostile to all other religions; and when I consider that the Catholics of Ireland are under the direction of a priesthood who deny all controul from his Majesty's government, and maintain the most abject submission to the Pope as head of their Church; I cannot view that circumstance without serious alarm. A noble lord has referred you to a monarch of France, Louis 14, who, he tells us, was the eldest son of the Church, and the champion of Popery in Europe; but his strength was weakness, and his hostility peace, compared with the power, and avowed hostility of the present ruler of France; and, Sir, when I consider that the Pope himself, to whom the Catholic priesthood and people of Ireland profess the most implicit submission in their ecclesiastical government, is, at this moment, the prisoner and slave of Buonaparté, will any man say, that there is no danger to be apprehended from the influence of the Pope so circumstanced, to our Protestant state, if power be extended to Roman Catholics? This is the quarter, Sir, from whence the great danger is to be apprehended, and therefore, I would ask those gentlemen, who advocate this question, if while such an influence exists, and that you place Catholic generals at the head of your armies, Catholics representatives in your Houses of Parliament, and Catholics to fill the offices of ministers of state, you can expect permanent safety to your Protestant constitution, or that you may not one day have the crown of England held up as a prize for Catholic adventurers?

Our ancestors, Sir, had woeful lessons of experience, and some respect is surely due to the weight of that policy by which they were actuated, and which ultimately led to the Revolution, under one of the most illustrious monarchs that ever dignified the throne of these realms. I cannot, therefore, Sir, by voting for this measure cast a

censure on the memory of that great monarch, and the memory of those illustrious characters who accomplished that glorious work. I cannot consent to abrogate the policy under which we have flourished for above a century, nor to pull down with unhallowed hands those sound barriers, which have so long defended our constitution. Sir, the question before you is a new experiment upon the constitution, which I think inadmissible, and to which I therefore avow my resistance in the first stage, and on this account, Sir, I feel it my duty to oppose the motion, and I also think it the most honourable and fair mode of dealing with the Catholics, not to go into the committee, for to do otherwise would be only to disappoint and to irritate.

Surrounded, as we are, Sir, on all sides with dangers and with difficulties, yet I turn with confidence to our glorious constitution as a land-mark to guide us safe through the troubled ocean of these times, and I conclude by giving my vote against the motion.

Mr. Vernon.—I am sensible, Sir, that in rising at a time when so many other persons, much more worthy of audience than myself, are desirous of addressing themselves to the House, I may owe it, perhaps, some apology, for obtruding myself at all upon its attention. And, indeed, the subject of our present consideration has been so frequently and so fully discussed, so much argument has been employed upon it, and that argument has been urged with so much eloquence, that a person much more competent than myself might well abstain from the hopeless attempt of adding to it either novelty or interest. But at the same time it is a matter of such high importance, and respecting which opinions so various are entertained even by persons agreeing in their vote; and above all it is a topic which subjects those who think and act as I think and must act upon it, to so much calumny and misrepresentation, that I am desirous of offering a few observations to the House.

The learned gentleman who preceded me has stated upon this subject opinions so singular, that I scarcely know how to enter into any contest with him respecting them. He has asserted that the repeal of these disabilities would be of no value to the lower classes of the Catholics. What, Sir! is it no object to them to be permitted to rise, like their Protestant neighbours, to

situations of honour and emolument? Is it no object to them to reap, like others, the fruit of their industry and talents, and to be capable of filling the highest offices in the law, in the army, and in the civil government of the state? It is the pride, the glory, and the advantage of this country, that the avenues to honour and profit are open equally, waving these disabilities, to all; and can it then be said, that to deny them to the Catholics is no grievance to this part of the community? But, Sir, the learned gentleman has argued, that the lower ranks of society labour under what he calls a "moral incapacity" to avail themselves of the proposed concessions. Now, without stopping to shew the absurdity of this assertion, I must say, without, I hope, causing offence to the learned gentleman, that I think, considering the circumstances of his life and history, that he is one of the last persons in this House, from whom I should have expected such an opinion.

The learned doctor who spoke second in this debate, and who told us that Buonaparté has trampled upon the boundaries of right and wrong, has, I think, himself trampled upon the boundaries of sense and nonsense. The learned doctor told us, that he proposed to himself two objects in his speech to-night; the one, to state the merits, the other, the demerits of the Catholics. His view of their merits has consisted in a fruitless attempt to depreciate their wealth and their numbers; and his view of their demerits has consisted in the recital of certain oaths of spiritual allegiance to the Pope, which are taken by their bishops, and of the obsolete doctrines of certain ancient councils, some of which have never been adopted, and others have been formally disclaimed by the Irish Catholics. But upon these points full and satisfactory explanation has been afforded to the House by the worthy baronet who spoke after him.

The learned doctor has been kind enough to interpret for the Roman Catholics their tenets and principles according to his own judgment and construction; but I suspect that if some Roman Catholic divine were to undertake a similar task for the benefit of the learned doctor, he might perhaps, by too literal an interpretation, so explain the thirty-nine articles which the learned doctor has subscribed as the profession of his own creed, that he might not be very willing to accept such a construction, and might find sufficient occupation in reconciling the difficulties of his own system,

without engaging to expound for others, according to an interpretation disclaimed by them, and contradicted by their practice, the tenets and doctrines of their faith. The learned doctor, however, not content with his serious and solemn argument upon this subject, and disclaiming altogether what he calls "apophthegmatical argument," has condescended to be facetious, but has discovered, perhaps, that it requires a skilful fencer to wield the weapons of irony. If, however, he has failed in his attack upon my honourable friend behind me, he has at least the merit of appearing undaunted and unhurt by the recoil of his own artillery—

"While peals of laughter, Codrus, round thee break,
Thou unconcern'd canst hear the mighty crack;
Pit, box, and gallery in convulsions hurld,
Thou stand'st unmov'd amidst a bursting world."

The learned doctor has argued this question, as if the Catholics were to be the only gainers by the repeal of these disabilities; but I differ from him entirely in this narrow view of the subject, and deem that argument which I unworthily support to-night, the argument and cause of the country; and however anxious I may justly be, that no class of the community should be unnecessarily subjected, as I think the Catholics are, to the grievance of unequal and excluding laws, I am much more concerned at the loss which I feel the state sustains, in the want of their services and the diminution of their affections. It is, no doubt, an enormous evil to the Catholics, to be excluded, as they are in Ireland, by direct and positive law from more than five hundred legal and civil offices, besides seats in parliament, and indirectly from two thousand more; to be excluded also from upwards of three thousand municipal offices, and from all the higher ranks in the army and navy. But the mischief is, not only that you thus disfranchise and degrade a fourth part of your population, but that you do not deal fairly by the state, in thus withdrawing the talents and energy of that fourth part from the competition for public service. What is the operation of these laws upon our army? That army, the sound of whose recent triumph has within these few hours reached our gratified, but now happily not unaccustomed ears. Suppose that upon this occasion an English or Irish Protestant officer should have been the first to

mount the rampart, and to plant the victorious standard on the walls of Badajoz; if he be a non-commissioned officer, he may receive a commission as the reward of his valour; or if he have already a commission, he may be promoted. But if a British Catholic should have performed this exploit, to him no such reward can be allotted, no such honour can be assigned, although a Portuguese Catholic fighting for the same cause, under the same banners, might receive in such honourable promotion the tribute due to his exertions. It is difficult to abstain to-night from mentioning lord Wellington: he, Sir, is an Irishman, to the immortal honour of that country; and while his great achievements shrink from no comparison, they are embellished and exalted by that disinterestedness, which was wanting to the character of that illustrious duke, to whom, in our military annals, he is second rather in time than in glory. But if lord Wellington had been a Roman Catholic, he might indeed have served in Ireland as captain or colonel Wellesley, and instead of assisting the Spaniards, might have marched in aid of an exciseman, and taken some illicit distillery by storm instead of Badajoz and Ciudad Rodrigo; but if captain Wellesley had set his foot on the British shore, he might have been subjected by a common informer to a penalty of 500*l.* and the loss of his commission.

The learned doctor has told us, that the Catholics have refused to grant the Veto. But in fact they have not refused it; for you have not asked them to grant it; you have not offered them any inducement to grant it. They have determined, indeed, that under existing circumstances it is inexpedient to alter the mode by which their bishops are nominated. But as I know that in other countries such a power has been exercised by a Protestant sovereign, and that it was not objected to a few years ago in Ireland, I have a right to expect that whenever we seriously undertake the great work of national conciliation, there will be little difficulty in forming an arrangement upon this subject, equivalent in substance, however differing in form, which may not be deemed inexpedient to the Catholics. It is no doubt desirable either in this or any other country, that the government should have the means of providing that disloyal men should not be placed in situations of influence and power. This judgment, with respect to all civil and mi-

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litary offices, would of course be exercised by government in regard to Catholics, as it now is in regard to Protestants. No Catholic would be promoted in the army or any other profession, unless he were a good citizen; and when it is said that without the Veto or some equivalent, the government would have no controul over the nomination of their bishops, I reply, that they have now no controul over their nomination; and if they were disposed to use their influence disloyally, which they are not, as was shewn by their exemplary conduct in the two recent rebellions, they might address it to much more willing ears, than they could do, if you removed these sources of jealousy and discontent. When this subject has been formerly agitated, I have abstained from stating my opinion upon it, partly from a general unwillingness to trouble the House at any time with the sentiments of so unimportant an individual, and partly from a feeling, that although if the petitioners chose to bring it under the view of parliament, it was impossible to withhold that vote which a sincere and strong opinion suggested, no success, however, could under the then existing circumstances, be anticipated for the measure in parliament, and that consequently, other and more favourable opportunities would occur for expressing that opinion, both with respect to the general principle, and to the details which must be considered in its progress. The subject, however, comes now under our consideration in very different circumstances. We cannot be opposed in parliament, nor can a flame be excited in the country, by the conscientious scruples of the Prince Regent; and no one except the learned doctor has urged the invented impediments of the coronation oath. Of his Majesty I am unwilling to speak otherwise than with that delicacy and respect which is due to his misfortunes and to his virtues; but I cannot help remarking, that it is an extraordinary circumstance in the history of this nation, that the opinion of an individual whose mind has been for twenty-five years constantly liable to the slightest or stronger affections of that disorder under which it now labours, and who we now know has exercised the sovereign authority whilst under its influence, and surrounded by the restraints which it renders necessary, should have had the weight which we know it has had on the public mind in deciding upon the political destinies of four mil-

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lions of the subjects of this empire. But that day is now past, and the time arrived, which the Catholics, however loyal, however attached to the person, and admiring the virtues of the sovereign, could not but look forward to with the satisfactory anticipation of the fulfilment of those hopes in which they had been encouraged by the Prince of Wales. I abstain from alluding to any rumoured difference of opinion between himself and his present counsellors; because such difference cannot be recognized by parliament, and because it is from responsible ministers only that we can collect the feelings and judgment of the sovereign. I will not imitate in this respect the conduct of the present government, who have formerly most improperly applied the name and personal influence of the King to their political purposes upon this subject. But of the avowed opinions of the Prince of Wales I have a right to speak, and to say this—that the Catholics had just ground to expect, not perhaps that he would exert that personal influence in their favour which his father had exerted against them, not perhaps that he would tell the servile circle of his court, that the throne and the altar with which that throne is connected, stand on a firmer and broader basis than religious exclusions and disabilities can supply to them, but that he would at least have procured that fair consideration of their petitions, which it is vain and idle to pretend can ever be had while the right hon. gentleman is at the head of the government. I am sure that I have as little personal interest as any individual in the overthrow of the present administration; and I am sure that no man approved more entirely than myself of the rejection by my two noble friends of the offer which the right hon. gentleman advised the Prince Regent to make to them for the purpose apparently of being rejected. The poet says,

“Desire of greatness is a godlike sin.”
and, under honourable circumstances, it is surely no sin at all; but under the circumstances attended by which it was suggested to those noble lords, desire of greatness would have been a sin against every honourable principle, the maintenance of which alone can make men either estimable in themselves, or useful to their country. My opinion, however, and my approbation of the conduct of those noble lords, is of little value to them, and of no importance to the country. But if instead

of the humble individual who now addresses you, I were a person of illustrious birth and eminent situation; a person on whose decisions the destinies of this country might very essentially depend; and if, being such a person, and having in the year 1809 expressed most strongly and distinctly my approbation of the conduct of those noble lords, in refusing the offer of official situation which was then made to them by his Majesty, I should now, in consequence of their rejection of a similar offer, for similar reasons, withdraw from them my support and approbation, I think that, however some interested individuals might rejoice in such an inconsistency on my part, that even they would not feel very confident of the continuance of this my new opinion, and that the country at large would hereafter be very little solicitous what opinion I might entertain on any subject, or whether I might entertain any opinion at all. The right hon. gentleman, however, twice rejected by those noble lords, whose principles he declares to be ruinous to the country almost in the same breath that he invites their assistance to his government, undeterred by their refusal, and sensible of the inefficiency of his colleagues, goes in quest of their aid, and careless what opinions he may associate to himself, acting apparently upon the principle of

“But ask not to what doctors I apply,
Sworn to no master, of no sect am I,
As drives the storm at any door I knock,”

he buckles on the whole armour of intolerance, and thus issues forth to the combat, almost single in opinion, but compelling into his array the convenient principles of his subservient colleagues. And, Sir, what is the argument which they defend to-night? what the proposition of my right hon. friend which the House is desired to negative? Is it the precipitate adoption of some undigested measure, which requires caution and delay? Is it, as misrepresentation has described it, an attempt to innovate on the constitution, without security, and without regard to the safety of your establishments? No, Sir! if such it were, if such I conceived it to be, I should be the last man in this House who could afford it support. Connected as I am by the most intimate ties of duty and affection with an individual, eminent among the dignitaries of the English Church, I am perhaps more conversant with the excellencies of its institutions than most members in this House, perhaps even I

am disposed to view them with partial eyes, and to overlook defects which may be lamented and criticised by others. But be it a true opinion, or be it prejudice, it is my opinion that no church government can more faithfully fulfil the various ends of its institution than our Church establishment; which avoids equally on the other hand to support those arbitrary notions which have been mostly found connected with the Roman Catholic Church; and on the other hand, the more democratic principles which are attributed to the feelings and doctrines of other sects. Deeming thus highly of our English Church, and confirmed in these sentiments by the esteem and affection in which I hold many of its ministers, I trust I shall obtain credit when I assert that nothing could induce me to support the Catholic Petition, except a conviction, not lightly formed, for I sat some time in parliament before I would vote upon this subject, that an alteration in these penal laws may be effected in a manner innocuous to the Church, while it will add to the state that vigour, and that consolidation of its interests which the present exigency of our affairs so urgently demands. But, Sir, I ask again, what is the proposition which demands our decision to-night? It is surely the most reasonable, the most mitigated, the most cautious in its tendency, which could be submitted to parliament. For unless it be contended that every thing is right in this system of laws at present, and that we must not entertain the subject at all without the consent of the Chancellor of the Exchequer, I cannot conceive how the House can refuse to take, as it is desired, the state of Ireland into its consideration. The learned gentleman who spoke last, denies that this is a fit time to enter upon the question. It is, however, the time which has been long designated in the expectation of all men for the purpose, and I had hoped that this pretence at least would no longer have been relied upon. It is one of the prerogatives of the crown that "*Nullum tempus occurrit regi.*" But it is the misfortune of the Catholics, that every time is opposed to their just Petitions and desires. For my part, I have no hesitation in avowing my opinion, that under a different course of events from that which has recently occurred, a satisfactory arrangement might have been made, which would have opened the Protestant monopoly of political power to the Catholics, with as little or less diffi-

culty than the pending arrangement can be effected for opening the East India trade to the competition of private merchants. But of this I am confident, that the question of that charter, that the claims of private merchants, that the rights of the company; nay, that the loss of that unwieldy empire itself might well be deemed unimportant, when compared with those domestic and suicidal results which our present policy may produce in Ireland.

Let us look, Sir, at the condition of that country; let us see it rising rapidly from that misery and degradation to which our wretched government, during two centuries, had reduced it. Let us see it thriving in arts, in agriculture, and above all in an increasing population; brave, generous, and enthusiastic; willing to serve you, but not as slaves; willing to bleed and conquer in your armies, but demanding the rewards and honours of conquerors. It is I confess difficult, when I look at this part of the subject, to calculate coldly and nicely those dangers of which some persons are so apprehensive. But let those persons tell you, what are those dangers: let them speak out upon this point: it is their business to do so and not ours, for I am not afraid to say, that unless it can be shewn that these claims cannot be granted without danger to the state, that they become claims of right, properly understood; in the only sense at least in which natural claims of political right can be maintained at all. Unless these dangers can be shewn, and not only positive dangers, but greater dangers in concession than refusal, we are no more justified in excluding Catholics from serving the country, than we should be in excluding men of less than six feet in height. We make regulations upon this subject in the army, because tall men are better soldiers, but the right hon. gentleman would not approve of making this qualification general. We should be quite justified in excluding the right hon. gentleman from the ranks of the army, because such soldiers might be dangerous to the state; but not so the Catholic, on account of his creed, unless that creed contain political maxims of dangerous tendency. If indeed they maintained at this day the anti-social opinions of the darker ages; that no faith was to be kept with heretics, and that the Pope has the power of absolving subjects from their allegiance, undoubtedly we should not only be justified in ex-

cluding them from office, but from all civil society and intercourse whatever. So that in fact the question of right cannot be of positive right, but conditional, and the condition is, the safety of the state. It is the same right which every man has to his liberty, and to the benefit of the laws; a right not to be divested by caprice, but only by state necessity, and that necessity, I maintain, cannot be proved in defence of these Catholic disabilities.

I recollect what was said of political disabilities in a free conference on the Occasional Conformity Bill in queen Anne's time. The managers for the Lords, among whom were lord Halifax, lord Somers, the duke of Devonshire, and bishop Burnet, declared, "That the Lords thought, that an Englishman could not be reduced to a more unhappy condition, than to be put by law under an incapacity of serving his prince and country; and that therefore nothing but a crime of a most detestable nature ought to put him under such a disability." But what then is the danger which it is pretended will arise out of these concessions? Foreign influence, says the learned doctor; no doubt, foreign influence, as far as it may exist, is *pro tanto* an evil. But what is the remedy? I say, admit the Catholics to the constitution. The foreign influence exists now, happily not in practice, but in possibility. Concession cannot increase it; but satisfy the Catholics and you deprive the mischief of its sting. For how is this mischief to operate? It is supposed that the Pope, not the present pontiff however, for of his virtuous courage and resistance under persecution there is sufficient evidence, but that some future Pope may be induced to exert his religious influence in Ireland in favour of the French. The danger then is religious connection with the enemy, and the remedy, I say, is political connection with the state. Give the Catholics the same interest in the state as their countrymen have, and they will be as eager to defend it; for it is not bigotry which you impute to them, but madness, and contradiction to human nature, if you suppose that admission to the constitution will not endear it to them, and exclusion make it comparatively indifferent. It is therefore justly said, that concession is the best security; and I am confident that if no other were enacted, the safety of the empire would be infinitely greater than it now is; but I am also confident, that whenever you enter

bond fide into an arrangement upon this subject, you will have little difficulty in forming such other securities as are generally desired. The learned doctor deprecates, with eager alarm, the mischiefs of innovation; happy would it have been for the Catholics, if this terror had operated a century sooner on the mind of the legislature; if this argument had prevailed when, in the reign of king William, they were first excluded from the Irish parliament; when, in the reign of queen Anne, they were deprived of access to honours and offices by the extension of the English Test Act to Ireland. For those innovations on the constitution there was an apology, the justice of which it is now unnecessary to argue; that apology consisted in the attachment of the Catholics to their dethroned sovereign; to him whom, as far as his religion constituted a part of his offence, they could not consider an offender. Undoubtedly the motives by which the great men who conducted that revolution were actuated, were of a higher and different sort from those by which the populace was stimulated. The mischief which they fought against, was, not the Catholic religion in itself, but the despotic principles which were attempted to be established by the Stuarts, through the assistance of the French court, and the pretence and medium of that religion. But if there had existed then this indefinite and unmeaning terror of innovation, the Catholics would never have been deprived of those rights, the restoration of which, the danger of jacobitism being annihilated, they anxiously, and, in my opinion, most reasonably desire.

So much, Sir, has been already said upon this subject, that I will now only make a few observations on the petition which has been presented to us in the name of the chancellor, masters, and scholars of the University of Oxford. I have the honour of being a member of that learned body, and am attached to it by the recollection of some years spent there not long since, agreeably at least, if not so usefully as they might have been. Anxious therefore for its honour, I feel much satisfaction in reflecting, that I am one of a great majority of its members, who, although included in the form of the petition, are unconsulted and unassenting parties to it. The members of that University exceed 1,000 in number, of whom little more than 100 actually supported or consented to it; and a very respectable

portion of the resident members, including the vice-chancellor, the two proctors, and several heads of houses, and others of the most learned and estimable men in the University decidedly opposed it. I cannot however abstain from expressing my deep regret, that in a place dedicated to the study of the liberal arts, feelings and views of policy so little liberal should appear to prevail. And I am sure that those resident members who promoted this petition, would well consult for their own character, and for the reputation of that great seat of national education, if, before they again assemble a hasty and partial convocation for such a purpose, they would reflect how liable they are to the influence of ancient prejudice upon this subject, and would follow the example of the Stagyrice philosopher who is so much studied and celebrated in that place, and like him endeavour,

"Inter sylvas academique querere verum."

Not however adopting Mr. Pope's translation of this line,

"And hunt for truth in Maudlin's learned grove."

For I am afraid that this is not the grove, where, what I consider the truth upon this subject, would be discovered. That truth, however, is rapidly unfolding and developing itself to the mind and understanding of the people; of which I may say, as Milton describes the English nation, in his *Defence of the Liberty of the Press*, "Methinks I see it as an eagle, moving its mighty youth, and kindling its undazzled eye at the full mid-day beam, purging and unscaling its long abused sight at the fountain of heavenly radiance, while the whole noise of timorous and flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble prognosticate a year of sects and schisms."

Mr. Marryat.—Mr. Speaker, I should not have presumed to offer myself to your notice, in a debate which never fails to bring forward a display of the greatest talents in this House, but for one circumstance, which probably is peculiar to myself, that it has happened to me to be an eye-witness of the effect of the two different systems of policy, I mean a liberal and illiberal system, adopted at different periods, towards his Majesty's subjects of the Roman Catholic persuasion.

The island of Grenada, where several of

the early years of my life were passed, and where the transactions to which I allude took place, was ceded by France to Great Britain by the treaty of 1763; and the great lord Chatham, then minister, with that liberal policy which distinguished his character, advised his Majesty to admit his adopted French subjects into a participation of political rights and privileges. Accordingly, some of them were called into his Majesty's council, others were elected as members of the House of Assembly, they sat as magistrates, and held commissions in the militia, indiscriminately with their British born fellow subjects. The British constitution being established in the colony, they had the strongest possible inducement to study those laws, in the administration of which they were permitted to share, and to acquire a knowledge of that language which was necessary to qualify them for the discharge of their duty in those public situations which it was their ambition to fill. Thus, by the united force of habit and education, they gradually and imperceptibly became Englishmen; though they still continued Roman Catholics. In 1779, France being again at war with Great Britain, Grenada was attacked by a powerful armament under the command of the marquis de Bouillé, and lord Macartney, then governor of the island, gave all the French inhabitants who served in the militia, the option of returning to their own homes, but many of them, feeling that they enjoyed a constitution and privileges worth fighting for, chose to remain in the ranks. The Hospital bill, which they assisted in defending, was taken by storm, after an obstinate resistance, in which the assailants lost as many men as the garrison consisted of; and then lord Macartney was obliged to capitulate; but not a syllable of complaint was heard of any treachery or disaffection among the French Roman Catholic subjects. Whether, as the right hon. and learned doctor behind me (Dr. Duigenan) asserts, it is part of their creed that no faith is to be kept with heretics, I know not; but this I know, that in the hour of danger, they fought bravely and loyally by the side of their heretic fellow subjects. Whether they had taken the oath, of which the right hon. and learned doctor has told us, to be true to the Pope and the royalty of St. Peter, I know not; but this I know, that they were true to their Protestant sovereign king George 3.

Let us now reverse the scene, and see how they conducted themselves under a change of system. Grenada continued under French government till the 1st of January, 1784; and during that period the British subjects were certainly treated in a very arbitrary and unjust manner. The injuries they received excited a great degree of resentment in their minds against the French inhabitants in general; and some representations were made to his Majesty's ministers, in consequence of which, when the island was restored to Great Britain, instructions were sent out to put the Test Act in force. This act imposed oaths on the French Roman Catholic subjects, as the conditions of their qualification for office, which they could not conscientiously take; and consequently they were excluded from all situations of trust or emolument. They could neither sit in the council, nor the House of Assembly; they could neither act as magistrates, nor hold commissions in the militia; and even the glebe lands attached to their churches were taken away, and given to the Protestant ministers. Exasperated at this treatment, they withdrew from almost all friendly intercourse with the British subjects; they brooded over their wrongs in sullen seclusion, as long as the peace lasted; and when the war was renewed, with the assistance of Victor Hughes, governor of Guadaloupe, who furnished them with arms, ammunition, and some troops, they broke out into open insurrection. At the commencement of this insurrection, a great number of the British subjects were massacred; in the course of it, the whole island was ravaged and laid waste; eleven thousand negroes lost their lives; and in the conclusion, the whole race of French inhabitants was exterminated; they perished almost to a man, either in the field or on the scaffold.

After having witnessed this example of the dreadful extremities to which men may be driven, by political disabilities imposed upon them, on account of their religious opinions, I cannot but look forward with the most serious apprehensions, to the system we are now pursuing towards our Catholic fellow subjects in Ireland; and I felt it my duty to give the House this detail of facts, which bears so strongly and decidedly upon the present question. I was anxious too, knowing the feelings and passions of mankind to be the same in all countries, to relieve myself from that awful responsibility, which, in

my opinion, will rest upon those, who, by the vote they give this night, may contribute to call those feelings and passions into action in Ireland, which produced such disastrous results in Grenada.

The example of Grenada, Sir, furnishes a complete refutation to several of the arguments that have been used against taking the Catholic claims into consideration. An hon. member behind me, (Mr. Banks, jun.) whose speech I heard with great pleasure, as giving a fair promise of future fame, referred us to history and example. But he neither quoted history, nor produced an example; and indeed history and example are both against him; for though history furnishes abundant examples of the misery and ruin that have been brought upon states by religious intolerance, it furnishes none that I recollect of any state having suffered by indulging toleration to the most unbounded extent.

The same hon. gentleman says, that the Irish Catholics continually rise in their demands; and, (adopting a commercial metaphor), asks, rather jocularly, whether compound interest upon these claims is to go on continually accumulating? If the claims of the Catholics of Grenada had been acceded to, and they had been restored to that participation of political power which they formerly enjoyed, peace and prosperity would have continued to bless the inhabitants of that colony; but the interest they paid for the intolerance of the British government, was the destruction of their property, and the sacrifice of their lives. This, Sir, was no subject of jocularity to the parties concerned, and affords a melancholy and memorable proof, that compound interest, and at a rate most dreadfully usurious too, is sometimes exacted upon the delay in granting just claims.

An hon. member near me, (Mr. Owen,) maintains that the lower classes of the Catholics take no interest in the question of Catholic emancipation; and that it affects only the few individuals, who from their rank and situation in life, might reasonably hope, under a different system, to fill those offices from which they are at present excluded. It appears from the example of Grenada, that even the Catholic negroes, who could have no possible expectation of holding public situations of honour or emolument, embraced the cause of their masters: and that with so much zeal, that, as I have already stated, eleven thousand of them perished in the contest.

The truth is, that every individual belonging to a sect, which is subjected to political disabilities, feels himself a member of a degraded class; and considers an injury done to any of his superiors of the same communion, as if done to himself.

It has also been said, that if the claims of the Catholics were granted, they would become a party with power, instead of being, as they now are, a party without power. The case might have been more fairly stated thus: that they would then become a party attached to that constitution, in the advantages of which they participated; instead of being as they now are, a party inimical to that constitution from the advantages of which they are excluded; and this position, too, is fully illustrated by the example of Grenada.

In my humble opinion, Sir, religion is an affair between God and a man's own conscience, with which the secular magistrate has nothing to do, any farther than as the tenets it inculcates may be dangerous to the established government. That some of the tenets imputed to the Roman Catholics have that tendency, I readily admit; and I am no more disposed than the gentlemen who oppose this motion, to grant their claims, unless it can be done with safety to the constitution, in Church and State, as by law established. All I contend for is, that we have no right to put our own interpretation on their creeds; and anathematize them, as it were, for professing doctrines which they disavow. The great object of going into the proposed committee is, to enquire whether they can and will, give such security, or subscribe such a test, as ought to be satisfactory; and this enquiry well deserves our most serious and immediate attention. One of these two good purposes must be answered by going into this committee; either we shall find that satisfactory security can be given, in which case we shall indeed be what we now call ourselves, but are not, an united kingdom; or, at least, we shall have an opportunity of proving to the Catholics of Ireland, and of all Europe, that our refusal to comply with their claims, proceeds from no bigoted prejudice against them as Catholics, but from a conscientious regard to that constitution which we are bound to support.

For these reasons, I cannot do otherwise than vote for going into the committee.

Lord Milton.—Sir, I should not at this late hour of the night have troubled the

House but for the extreme anxiety I feel in the cause of the Irish Catholics; and that anxiety has been by no means diminished by the speech of the hon. and learned gentleman, (Mr. Owen,) on the second bench on the other side of the House. I confess that that hon. and learned gentleman did deliver opinions, and broach doctrines of a most extraordinary nature. That hon. gentleman has grossly calumniated not only the Irish Catholics, but the whole of the lower ranks of society. And is it to be borne, that such language as this should go forth to the Catholics of Ireland, and to the lower orders of the people in this united kingdom without comment? That in this country, where it is our boast that we may rise from the lowest situations to the highest honours of the state: that no person, however lowly he may be born, is precluded from the most distinguished remuneration of his country: that in this House of Commons, where there must be persons who, perhaps, in the outset of their lives might not have expected to attain those honours, to which their virtues and their talents have raised them; and that it is asserted, that the lower orders of mankind are necessarily excluded, from a moral incapacity, to hold such offices. For be it remembered that was the assertion of the hon. and learned gentleman.

Sir, it appears to me, upon this subject, that this is one of the many arts used to excite fears and jealousies in the Protestant inhabitants of this country against the Roman Catholics of Ireland. But the most forward argument is, that we are told the Church is in danger. Now, I do not feel, perhaps, that sort of filial reverence for the Church which has been expressed by my hon. friend below me (Mr. Vernon,) but I believe there is no man can feel more sincerely attached to it than I do; and I doubt whether any person can feel more strongly than myself, all the benefits which we derive from it, and which under God, it gives us. If therefore I could imagine that the admission of these Catholics to office, that the admission of half a dozen Roman Catholic peers to the other House of parliament, and, perhaps as many, or a few more Catholic members to this House, would endanger the Church establishment, I believe a great deal of argument would not be required to persuade me to abandon the cause. But those gentlemen who are continually crying out that the Church is in

danger, and who are eternally endeavouring to persuade persons out of doors, of this imaginary peril, are never willing to come to close quarters, and tell us how the Church is to be in any greater danger after the admission of the Catholics to the benefits of the constitution, than it is at the present moment. I do not suppose that it will be contended that the claims of the Irish Catholics will derive greater weight from their sitting in the Houses of Parliament, or their being admitted to municipal offices. Surely, Sir, exclusions are not made to protect religion: they may be very good to protect political establishments; and, under certain circumstances, religion may be a test for the essence and well-being of a state. Now that has been explained by a noble lord on the other side of the House; and to his speech I refer you for detail on that subject—I mean the origin of these tests.

Sir, it is a false assertion that these tests were ever instituted against the Catholics merely because they maintained a particular religious faith. They were made for the protection of the state: but at that time it so happened, that Catholicism and arbitrary power were connected together. Now, you take advantage of that circumstance on the other side of the question, against the Catholics, and make the religious part of the subject a ground of exclusion where it never was meant to apply. That was the true origin of the tests; and other circumstances confirmatory of this, may be found by a reference to the history of the Bill against Occasional Conformity. It will be found that the persons who were most active in bringing about the Revolution, were the constant opposers of that measure; for the fact is, that they were as much the advocates of religious as they were of political liberty; and here again let me call upon the learned gentleman opposite to tell me and the House, why he says that his reverence for the Revolution is the reason why he cannot accede to the Catholic claims. Why, the Revolution was brought about not for the maintenance of the Church of England merely, but for the maintenance of our civil liberties. Let him read the Bill of Rights, and then let him tell if in that he can find any thing to bear out his assertion. And here, Sir, I cannot help deprecating the arguments of the learned doctor, who tells us, that if we accede to the motion of my right hon. friend, we shall destroy the consti-

tution; and he cites to us a long list of acts of parliament, from the first of Elizabeth, for the maintenance of the Church; which, he says, must all be repealed, if you grant the Catholics these concessions. Now, that they must be repealed, or partially repealed, is pretty certain; but that the repeal will destroy the Church Establishment, I utterly deny: and give me also, leave to tell the learned doctor, nor will the repeal of them endanger the constitution. And if the learned doctor knew the true principles of the constitution, he would tell us, as I do confidently maintain, that the bases of the constitution are rather the Habeas Corpus and Bill of Rights, than the Act of Uniformity and the Test Laws. Irish gentlemen would look to the history of these exclusions, and then ask themselves whether the same arguments can be adduced now, which were then adduced in furtherance of these laws? Sir, exclusions of this kind cannot last with justice or propriety, above a certain time. They cannot so last beyond the period when the reasons for passing them have ceased to exist. But, then, it is contended that the present laws do not go to affect the great mass of the people. That I deny: because I must contend, contrary to the assertion of the learned doctor, that these are the Petitions of the population of Ireland; because, without dispute, the majority of that population is Catholic; although it may be difficult precisely to ascertain the relative proportions of the different sects in that country; and yet, Sir, it is said, that these laws have only a very partial effect in that country; and that the paucity of the petitioners is so great, that their complaints are not worth attending to. But I trust, Sir, that these exclusions have run their race. I trust that more liberal notions are now gaining ground every where; and that it will be impossible long to keep the people of Ireland in this state of civil bondage.

We have been told that these restrictions are not continued for political purposes, but for the purpose of maintaining your Church Establishment. The Church is dear to all of us: but I must confess, that if the Church is to be maintained by degrading and stigmatizing the people of Ireland, it is purchased at a very dear rate.

Under all these considerations, and the consideration of the eloquent and powerful arguments, urged on this side of the House in favour of the motion, I am per-

sued that if this House does but consent to entertain the question, you will have gone a great way towards the conciliation of Ireland.

Sir, an hon. gentleman who spoke on the other side of the House, (Mr. Banks,) has told us, that history and experience were against us. I deny the fact, and he has not brought one proof of his statement. He told us, indeed, that if these materials, (speaking of the various, and, as he contends, clashing interests, in the state) were brought together, they would be more likely to explode. Now, is the hon. gentleman not more afraid of this explosion in the situation in which we now stand; are we not much more liable to the dangers he talks of, as long as you have four millions of irritated people to contend with; than after you have endeavoured to unite and conciliate them? The fact is, that history is against him. Even within the memory of persons here present, he will find powerful arguments against him. Let him look at America; let the House consider well that important lesson. To her small and equitable demands England opposed what we were pleased to term firmness. America persevered in her demands, and England in her firmness; the pretensions of the former grew with the resistance of the latter, till war and separation terminated the contest. May the parable not be complete! But surely, no man can doubt, but, if England had known how and when to yield, America might, at this hour, have been a British colony. To the same spirit of firmness we owe, in a great degree, our contests with the Irish Catholics; for the fact is, that in cases of this kind, men who have once embarked in a system of error, continue to cherish it, thinking that by perseverance, they may, as it were, turn wrong into right. Now, at the present moment they cannot think of abandoning their erroneous opinions with regard to Ireland, favourable even as the results might be, for fear of encouraging the imputation of contradicting themselves.

Upon all these grounds, therefore, and seeing no danger whatever to the Church, the alarm about which is a mere bugbear to the people, I cannot but give my cordial assent to this motion.

In the cry that has been raised upon this subject in favour of the Church, and to warn us of its dangers, I can assure the right hon. gentleman over the way, that I believe him to be very sincere. He is,

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perhaps, out of all those who oppose this question, or who make use of it for their own purpose, the only man to whom I do ascribe sincerity. But I much doubt whether the same quality can be ascribed to all of his subservient colleagues, some of whom have accepted office under circumstances the most peculiar. How they, after the testimonies they have given, and the pledges they have tendered, (or implications of pledges equally binding upon honourable minds) can consent to come into a government which is sworn to contend against the Catholics, is what they, perhaps, may, but what I cannot account for. To him, however, I certainly will give the credit of sincerity, because he has told the people of Ireland conscientiously of his scruples, and he has told a higher power, that should he accede to their claims, he must make his bow and retire.

If such persons as those to whom I have alluded, can condescend, after their former conduct, to hold the offices they now occupy, the House and the country will know how to appreciate their future pledges on any other subject.

I believe the right hon. gentleman is sincere; and I am persuaded, that his scruples proceed from a firm attachment to the Church: but, in the opinion which I entertain upon the subject, I think that concession to the Catholics is, in fact, the way to preserve the constitution, and, in preserving the constitution, to preserve the Church also; for without the constitution, the Church is nothing: but if we mean to preserve both, we must gratify the Catholics. Under these circumstances, Sir, I give my hearty vote for the motion of my right hon. friend.

Mr. Charles Adams.—Sir, at this advanced time of the night, I cannot think of troubling the House at any length, with a statement of the grounds upon which I shall give my vote against this motion. Sir, I think this is a question attended with so much difficulty and embarrassment on both sides, that it can be productive of no good consequences to either party in its discussion; and as I think that any change in the laws of Ireland as they affect Catholics, could not be attended with the benefits that, it is suggested, would arise, it would, in my opinion, be better to leave them alone. Besides, in the present political state of the country, it would not be politic to agitate a question which cannot

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but tend to abstract people's attention from the consideration of objects connected with our foreign relations. Unanimity, both in design and action, are of essential importance to our successful execution against a foreign enemy. Now, Sir, little disposed as I am to go into a discussion upon the religious part of this question, as it respects foreign nomination, I cannot but think that there is in it greater danger than gentlemen seem to apprehend. I would ask what is there to prevent the nomination of a Catholic French bishop to some of the sees in Ireland? and it would be unnecessary for me to point out the inevitable danger that would arise to the country from the nomination of such a bishop.

Now, Sir, for my own part, the religious view of this question in matters of faith, I have always considered by much the most important; and I cannot but complain that in the course of this debate, it has been kept very much in the back ground. The Roman Catholic doctrine, in my opinion, leads to the most erroneous and dangerous conclusions; and I do not hesitate to assert, that some of the tenets of that religion are as abhorrent to the true principles of Christianity as even Judaism itself. What is their zeal for that tenet of their creed called sacerdotal absolution? I would ask is it any thing more or less than a cloak to all sin? Can there be a more dangerous and subversive doctrine than this? And yet we are told that all this is nothing. But will any man of reflection and common sense say, that it is perfectly harmless?

Far be it from me to cast any reflection upon the moral character of the Roman Catholics. I am well aware that there are many individuals of that persuasion who are most worthy and valuable members of the community. I may say I have lived amongst them, and what I have thus observed is not with a view of disparaging those qualities which I know they possess. But on a great national and constitutional question like this, I could never forgive myself, were I to deceive them by holding out any hopes which must be founded upon principles in my humble opinion, subversive of the true interests of the commonwealth.

I shall not say a word upon the policy or expediency of the subject; nor take notice of the many arguments that have been urged under those heads in the course of this discussion. I have one ge-

heral answer on this subject, and which I shall repeat as often as this question is brought before parliament. Never let us cease for one moment to guard our establishment; and never let us expose it to the possibility of danger at all. And I do not hesitate to say, that it is daily and hourly exposed to danger, even by those who call themselves its friends.

One word more on this point: an hon. gentleman, the son of a right reverend prelate who also has spoken very eloquently in support of this question, has been held out to us as an example to prove that if there was any thing really dangerous in granting this question, he at least would not be likely to give it his support. But, Sir, I beg leave to say, that instance has not sufficient weight with me to lull my apprehensions; for notwithstanding the purity and liberality of his sentiments and intentions upon the subject, still I cannot shut my eyes against consequences which to me at least appear obvious. And suppose even that the immediate question for going into a committee should be carried by a very great majority, still there are objects avowedly connected with it so utterly insurmountable, that it would, in my mind, be impossible ultimately to come to a satisfactory understanding.

I sincerely wish well to the Catholics; but being a member of the Established Church, and having a high duty to discharge towards the rest of my fellow-subjects, I must, to be consistent with my views of the constitution, vote against the motion.

Mr. Bernard.—Sir; in this stage of the debate, I am very unwilling to trespass long on the patience of the House; but I feel it my duty shortly to state the grounds of my vote. The right hon. gentleman has declared, that he can see no danger in conceding to the foreign nomination of the Catholic bishops merely in a spiritual sense, provided such securities can be given to us as shall be perfectly satisfactory that no danger from such nomination shall arise to our Protestant establishments. In that sentiment I should heartily concur; but I have heard no reason yet assigned to induce me to alter the opinion I entertained when this question was last discussed. We are not now more secure, as much as has been said about the present situation of the Pope, than we were at that time.

I am one of those that conceive, that if

the Catholic clergy are suffered to remain under a foreign influence, usually unconnected with and uncontrolled by government, we shall then place the Catholics just in the situation where the Protestants now are; and they will next be desirous of having on the throne a king of their own religion, and of introducing a power hostile to the present form of the constitution.

The hon. baronet on the other side of the House has asked several times where was the danger to the government in the mere spiritual nomination of the Catholic bishops by the Pope, which is allowed in every other government of Europe whether Protestant or Catholic. Why, Sir, he has himself admitted, that even in Catholic governments this power is exercised by the Pope only with the internal controul of those governments, without which his nomination of the bishops can have no effect. How much more necessary then is this controul in our government, where the religion of the state is Protestant, and so intimately interwoven with the frame of our constitution. I cannot therefore agree to go into any consideration of a question having for its object to make any material change in that constitution. I should wish those laws to be left as they are; and however disagreeable they may be thought to some, yet, until some permanent and adequate securities are given to us against the dangers so justly to be apprehended from a change, it were better to leave the matter untouched than run the risk of such fatal consequences.

It being now two o'clock, the Chancellor of the Exchequer moved that the House be adjourned until to-morrow, which was agreed to.

HOUSE OF LORDS.

Friday, April 24.

ORDERS IN COUNCIL.—DECLARATION OF THE PRINCE REGENT.] The Earl of Liverpool laid on the table the following

DECLARATION OF THE COURT OF GREAT BRITAIN RESPECTING THE ORDERS IN COUNCIL.

At the Court at Carlton-house, the 23d of June, 1812, Present his Royal Highness the Prince Regent in Council.

"Whereas his royal highness the Prince Regent was pleased to declare, in the name and on the behalf of his Majesty, on the 21st day of April, 1812, "That if

at any time hereafter the Berlin and Milan Decrees shall, by some authentic act of the French government, publicly promulgated, be absolutely and unconditionally repealed, then and from thenceforth the Order in Council of the 7th of January, 1807, and the Order in Council of the 26th of April, 1809, shall without any further Order, be, and the same are hereby declared from thenceforth to be, wholly and absolutely revoked."

"And whereas the Chargé des Affaires of the United States of America, resident at this Court, did, on the 20th day of May last, transmit to lord viscount Castlereagh, one of his Majesty's principal Secretaries of State, a copy of a certain instrument, then for the first time communicated to this Court, purporting to be a Decree passed by the government of France, on the 28th day of April, 1811, by which the Decrees of Berlin and Milan are declared to be definitively no longer in force, in regard to American vessels.

"And whereas his royal highness the Prince Regent, although he cannot consider the tenor of the said instrument as satisfying the conditions set forth in the said Order of the 21st of April last, upon which the said Orders were to cease and determine; is nevertheless disposed on his part to take such measures as may tend to re-establish the intercourse between neutral and belligerent nations, upon its accustomed principles—his royal highness the Prince Regent, in the name and on the behalf of his Majesty, is therefore pleased by and with the advice of his Majesty's Privy Council, to order and declare, and it is hereby ordered and declared, that the Order in Council bearing date the 7th day of January, 1807, and the Order in Council bearing date the 26th day of April, 1809, be revoked, so far as may regard American vessels, and their cargoes being American property, from the 1st of August next.

"But whereas by certain acts of the government of the United States of America, all British armed vessels are excluded from the harbours and waters of the said United States, the armed vessels of France being permitted to enter therein; and the commercial intercourse between Great Britain and the said United States is interdicted, the commercial intercourse between France and the said United States having been restored; his royal highness the Prince Regent is pleased hereby further to declare, in the name and on the behalf of his Majesty, that if the go-

vernment of the said United States shall not, as soon as may be, after this Order shall have been duly notified by his Majesty's minister in America to the said government, revoke, or cause to be revoked, the said acts, this present Order shall in that case, after due notice signified by his Majesty's minister in America to the said government, be thenceforth null and of no effect.

"It is further ordered and declared, that all American vessels, and their cargoes being American property, that shall have been captured subsequently to the 20th day of May last, for a breach of the aforesaid Orders in Council alone, and which shall not have been actually condemned before the date of this Order; and that all ships and cargoes as aforesaid that shall henceforth be captured under the said Orders, prior to the 1st day of August next, shall not be proceeded against to condemnation till further orders, but shall, in the event of this Order not becoming null and of no effect, in the case aforesaid, be forthwith liberated and restored, subject to such reasonable expences on the part of the captors as shall have been justly incurred.

"Provided that nothing in this Order contained, respecting the revocation of the Orders hereinmentioned, shall be taken to revive wholly or in part the Orders in Council of the 11th of November, 1807, or any other Order not hereinmentioned, or to deprive parties of any legal remedy to which they may be entitled under the Order in Council of the 21st of April, 1812.

"His royal highness the Prince Regent is hereby pleased further to declare, in the name and on the behalf of his Majesty, that nothing in this present Order contained, shall be understood to preclude his royal highness the Prince Regent, if circumstances shall so require, from restoring after reasonable notice, the Orders of the 7th of January, 1807, and 26th of April, 1809, or any part thereof, to their full effect, or from taking such other measures of retaliation against the enemy, as may appear to his Royal Highness to be just and necessary.

"And the right hon. the Lords Commissioners of his Majesty's Treasury, his Majesty's principal Secretaries of State, the Lords Commissioners of the Admiralty, and the Judge of the High Court of Admiralty, and the Judges of the Courts of Vice-Admiralty, are to take the necessary

measures herein as to them may respectively appertain. JAMES BULLER."

Earl Grey asked whether the Declaration was issued in consequence of the official communication of the document to which it referred from the French government, and whether there would be any objection to lay that document before the House?

The Earl of *Liverpool* said, that the document had not been officially communicated, but that it had been published in the official paper of the French government—the paper which was declared to be official with reference to all the acts of the government. That being the case, he felt a difficulty in point of form in laying such a document before the House.

Lord *Holland* conceiving only certain parts of the Berlin and Milan Decrees were contrary to the law of nations, wished to know whether it was the meaning of the Declaration that on those parts of the Decrees being repealed which were contrary to the law of nations, the Orders in Council were to cease.

The Earl of *Liverpool* said, that with reference to the repeal of the Berlin and Milan Decrees, it was intended that the Court of Admiralty should judge of the fact—whether in the event of any act of the French government announcing the repeal of those Decrees, it was such an act as under the Declaration authorized the cessation of the operation of the Orders in Council. With respect to the noble lord's question, the repeal contemplated by the Declaration, was a total repeal of the Berlin and Milan Decrees, in which case alone the Orders in Council were to cease to operate.

The Earl of *Lauderdale* thought that the Milan Decree repealed the Berlin Decree, it being stated in the former, that its operation was to cease on the repeal of the Orders in Council; whilst this Declaration stated, that the latter were to cease upon the repeal of the former, there was no prospect whatever held out of relieving the distresses of the manufacturers of this country, or lessening the evils inflicted upon neutral powers.

Earl *Bathurst* observed, that in all the communications from the French government, whether to Mr. Russel, the American minister, or in any other way, the Berlin and Milan Decrees were uniformly spoken of together, which could not have been the case if the Milan Decree had repealed the Berlin Decree.

The Earl of *Lauderdale* subsequently suggested, in order to get rid of the difficulty in point of form, that the French paper containing the document referred to in the Declaration, might be allowed to find its way upon the table, for the information of the House, without any motion.

This suggestion was assented to by the earl of *Liverpool*.

DISTILLERIES IN IRELAND.] The Earl of *Darnley* adverted to what he had stated five weeks since, respecting the expediency of stopping the distilleries in Ireland, in consequence of the high price of grain, and lamented that recourse had not then been had to this measure, which ministers now found themselves compelled to adopt. The consumption of the distilleries in Ireland was 50,000 barrels of oats per week, which during the five weeks since he first noticed the subject, amounted to 250,000 barrels, and this taken from the stock of an article, which in a failure of the crop of potatoes, was necessary to the subsistence of the people, the chief article of their food, for want of potatoes, being oatmeal. The price of oats in Ireland, which five weeks ago was 27s. per barrel, had now risen to 32s.—wheat had also risen from 66s. or 67s. to 82s. His lordship argued from these facts, that the stoppage of the distilleries ought to have been resorted to at the time he first mentioned the subject, and with the view of ascertaining what quantity of oats had been consumed in the distilleries, moved for an account of the number of gallons of spirits distilled in the months from October to April, both inclusive.

Earl *Bathurst* denied that the high price of grain in Ireland was to be attributed solely to the distilleries, one of the causes being the export of grain to this country.

The Earl of *Darnley* admitted, that the high price was not to be attributed solely to the distilleries.

Some further conversation took place, in the course of which the earl of *Limerick* denied that there was any scarcity at Limerick or in its neighbourhood, where potatoes were at 5d. per stone. The earl of *Darnley* and the marquis of *Lansdowne* thought, that the latest intelligence from thence was rather of a contrary description. The earl of *Limerick* contended for the correctness of his statement. Lord *Holland* observed, that ministers objected

to stopping the distilleries five weeks ago, on the ground that it was too late, and now at a later period they brought forward the very same measure.

The motion was then agreed to.

PEASANTRY AND TENANTRY IN IRELAND.]

Earl *Stanhope* moved the second reading of his Bill for the relief of the Peasantry and Tenantry in Great Britain and Ireland, observing, that the law of distress being the same in Great Britain as in Ireland, Great Britain was therefore included in the Bill. His lordship proceeded to comment upon the speech of a noble and learned lord (*Redesdale*) on the first reading of the Bill, observing, that a letter he had quoted of a great lawyer, stating the evils arising from the operation of the law of distress in Ireland, was the letter of that noble and learned lord himself, who in contradicting by his arguments his own letter, had shewn the utmost impartiality, it being the maximum of impartiality to write one way and speak another, and had thus fallen into a trap which the noble and learned lord had himself baited. His lordship then recapitulated his former statements, putting them in different points of view for the purpose of shewing the gross injustice of permitting the occupying tenant to be distrained upon, not only by his immediate lessor, but also by all the intermediate lessees, or middle-men, by which the occupying tenant was subjected to the greatest oppression.

Lord *Redesdale* denied that his arguments were at all at variance with his letter alluded to by the noble earl, but deprecated the making public confidential letters (the letter being confidential to whom it was written), as it tended to destroy all confidence between man and man. His lordship then observed upon the impossibility, as it appeared to him, of making any legislative provision upon this subject, without committing the greatest injustice, by operating retrospectively in the most injurious manner upon rights of property, which had in various ways, been made the subject of contract and settlement. He would not, however, oppose the second reading, being willing to try if any practicable mode of lessening an evil which undoubtedly existed in Ireland, though not in this country, could be devised.

The *Lord Chancellor* thought the Bill tended to unsettle the whole law of landlord and tenant in England, Scotland, and

Ireland, and that as at present framed, it would operate most unjustly. If any thing could be done with it in committee, he had no objection to its going to that stage; but he was confident that no one clause at present in the Bill could be allowed to remain a part of it.

The Earl of *Liverpool* suggested the necessity of appointing a distant day for the committee, in order that accurate information might in the mean time be obtained respecting the extensive and important interests which would be affected by such a measure, and proposed this day two months.

Earl *Stanhope* suggested one month, which was agreed to; and the Bill was read a second time, and committed for this day month.

HOUSE OF COMMONS.

Friday, April 24.

PETITION FROM GLASGOW RESPECTING THE ORDERS IN COUNCIL.] Lord A. Hamilton presented a Petition from several merchants and manufacturers in Glasgow, setting forth,

"That in Glasgow, as well as in other commercial and manufacturing towns and cities of the empire, the late stagnation of trade has been attended with the most calamitous effects; that the number of bankruptcies has been unprecedented, the demand for manufactures limited, and the distresses of the workmen most afflicting; and that, although the sufferings of the petitioners, and the distresses of the people, might not perhaps have been altogether prevented, it appears to the petitioners that they would have been greatly mitigated by adhering to the established laws of neutral commerce, the loss of the American market for our manufactures would not then have been added to that of the greater part of Europe, and our commodities might more easily have reached even the ports of our enemies through circuitous channels; and that the petitioners beg leave, with all humility, to represent to the House, that the rights of neutrals, as recognized by the practice of Europe, are of the most essential advantage to commercial nations when unfortunately engaged in war; and, in the present circumstances of Britain, excluded as she has been from many of her accustomed and most extensive markets, the recognition of those rights would be more beneficial to her than even to those by whom

the trade might be carried on; and that the petitioners, reasoning on these general views of commercial policy, could not approve of the attempt, by retaliatory measures affecting neutrals, to force the enemy to relinquish his unjust attack upon our manufacturing and colonial interests: but, while there was any prospect of this object being accomplished, they did not presume to oppose their opinion to what seemed to be considered as the general policy of the state; now, however, that the trial has been made, and has failed; now that experience has shewn that neither the ruin of his merchants can prevail upon our enemy to relax his anti-commercial system, nor the scarcity on the continent of commodities believed to be indispensable, can induce the enthralled nations to throw off the yoke, the petitioners apprehend that measures proved to be detrimental to our own interests, and inefficient against the enemy, should at length be abandoned; and praying the House to take such steps, as to them may seem best, for procuring the recall of those Orders in Council, by which the usual commerce of neutral states has been impeded, and for reverting to the enlightened policy of former times."

Ordered to lie upon the table.

MR. GRATTAN'S MOTION FOR A COMMITTEE ON THE CIVIL DISABILITIES OF THE ROMAN CATHOLICS—ADJOURNED DEBATE.] The Chancellor of the Exchequer moved the order of the day for the resumption of the adjourned debate on the Catholic Petitions. The order being read at the table,

Sir *William Scott* rose and said:—Sir, before I proceed to the few observations which I think it necessary to offer upon the subject now before you, I feel it right, in the first place, to take notice of some observations which fell in the course of last night's debate, from an hon. gentleman on the other side of the House, touching a Petition which I had the honour to present from the University of Oxford, against the claims of his Majesty's Roman Catholic subjects. But however brilliant the talents displayed by that hon. gentleman in the sarcasms which he was pleased to cast upon the proceedings of that University on this occasion, it must be confessed that in those sarcasms he has not displayed much of filial affection for the place of his education. The attack was most undeserved, and I beg leave to

say, Sir, that no body of men in this country has ever demonstrated a stronger attachment to the constitution of their country. In former times, when at a memorable period of our history, that constitution was in danger of being destroyed by the usurpations of a popular branch of it, they rallied round their monarch, beset with perils. They evinced the most unshaken fidelity to the throne, and supported that cause which was no less the cause of their country, than of their king. In the latter part of the same century, when the popular branch of that constitution was in imminent danger of being overwhelmed by the arbitrary proceedings of the crown, where was the first effectual resistance made to this encroachment? Where was the regal tyranny more firmly opposed, or the cause of liberty and truth more zealously supported than in that University of Oxford—that same college—that very grove, which has been the object of the hon. gentleman's sarcasms. The members of that very University in that arduous crisis not only sought for the truth, but they found it, and acted upon it; they set an example which was followed by their country, with so much advantage to the British dominions—advantages which, I hope, will be maintained to the remotest posterity. That college has ever stood forward in defence of civil liberty and personal independence, uniformly opposing themselves at the proper seasons to the undue encroachments of the crown on one hand, and to popular turbulence on the other; and I need hardly remind you, Sir, (Mr. Abbott, the Speaker,) of the liberal manner in which they have returned their representatives to this House.

Sir, the representation which the hon. gentleman has made of the manner in which their Petition on this subject was carried, I must beg leave to say was extremely unjust. An assembly was convened highly respectable in the persons and numbers who composed it. The question was regularly and dispassionately discussed, and although there was a considerable difference of opinion as to the propriety of preparing such a Petition, yet it was ultimately carried by a majority of the convocation of four to one in its favour. I beg, therefore, Sir, that I may not be told that this Petition is not a fair representation of the sentiments of that University, or that the result would have been different, if the whole body of its members had been present on the occasion. I am,

therefore, Sir, warranted in saying, that the Petition is a fair statement of the sense of that University, as well as of the great body of the nation. The petitioners are men of the best education, of the greatest talents, and the most unblemished integrity. How, then, I would ask, can it be justly said, that they were but little capable of forming a correct judgment on a political question of great national importance? So much, Sir, I felt it my duty to say in reply to the illiberal reflections thus cast upon the University of Oxford.

Upon the general question before you, Sir, I feel it necessary to trouble the House with only a few observations; having been so repeatedly called on upon former occasions to state my opinions upon the subject. That the question has been so repeatedly brought forward year after year, is to me a matter of serious regret. The perpetual agitation of it has roused the turbulent passions of opposite parties, and kept the public mind in a state of constant ferment. It is a question fraught with danger to the nation, and one which hazards the setting fire to the country. If I saw any thing like the probability of parties coming to an agreement, I should then see the propriety of pursuing this course; and I should hail it as a happy omen of the discontinuance of those conflicts; but although the question has come forward year after year, those differences of opinion still remain unaltered; and after the repeated determinations of this House upon the subject, and one of those determinations not many weeks old; how can it be expected that the decision of this night should be different from the former. The House has been repeatedly told every year that the thing must be done; that the feelings of the petitioners can no longer be trifled with; and that the danger of refusal is so great that it ought not to be encountered. The answer to this, however, is, that parliament has repeatedly said, "it shall not be done;" and what end, therefore, can be answered by repeatedly agitating this question, but to keep up a continual war, between the petitioners and the legislature? It has been admitted by those who are most competent to speak to the point, that neither in Ireland, nor in this country, is the public mind, as it is commonly, or rather vulgarly called; made up to the granting of these privileges to the Catholics; nor could they, I am satisfied, be granted without the imminent risk of exciting civil commotions. I venture to

refer it to any man's observation, whether he really thinks the public sentiment has, in any degree, altered upon this subject. I would ask, is there any alteration for the better in the question itself? If I seek for any alteration in the language of the petitioners, as a new ground for the anticipation of success, I find none; for so far from offering any security for the protection of the Established Church, they obstinately withhold even those securities which they were formerly ready to concede. I have heard of the necessity of securities guaranteed by the most enlightened advocate of this cause, and offered by the petitioners; but these they now retract. I have looked at this question, so important, in a view to our political and religious interests: I have observed the disposition of the parties urging these claims, and I own that I see nothing on their parts which appears like a disposition to afford proper securities to the Established Church. On the contrary, they seem to me to be anxious, not only for the unconditional attainment of civil privileges and power in the state, but also to gain for their religion a marked and public encouragement. What then is the duty of those who wish well to the established religion? Will it not be for them to consider whether this marked and public encouragement to the Catholics may not operate as a marked and public discouragement to the Established Church?

There was a time, Sir, and not many years ago, when it was held in this country to be a fundamental principle of civil polity, that where a religious establishment is formed consistent with the general principles of the nation, such an establishment should be supported with the utmost tenacity, as the basis, upon which rests the security of the state; but we are now told that such notions are quite obsolete—that there should be no religious distinctions whatever, no peculiar protection to the Established Church, while, at other times, though the propriety of a peculiar protection was admitted, it was at the same time gravely contended, that this protection might very safely be entrusted to persons of a very different faith. Now, Sir, I would ask gentlemen whether they seriously think a Roman Catholic chancellor, Roman Catholic privy counsellors, or Roman Catholic legislators, could be considered as faithful guardians to the Protestant religion in this country? I do not mean to put this question with any purpose of irritating the feelings of gen-

tlemen, as I do admit that there are many persons of the Catholic persuasion, who are men of great private worth, but I cannot withhold my own opinion, that if the Catholics are true to the principles of their faith, there is nothing which they can have more at heart than the complete extinction of the Protestant religion, and when I look to the genius of the Catholic religion, the exclusive spirit which universally pervades it—when I look at its general doctrines, that salvation is not to be had out of the pale of its Church, I cannot contemplate, without alarm, the admission of the Roman Catholics as the guardians of a Protestant establishment. It may as well be asserted, that the Church would be as safe in the hands devoted to its destruction, as under the guardianship of those devoted to its protection. Seeing, therefore, Sir, no possibility of acceding to such a principle, I have the strongest objection to going into the proposed committee.

It has been stated, that the Presbyterians of the Church of Scotland are hostile to the established religion, and yet are admitted into the highest offices of the state; but yet, Sir, I think this argument has no bearing upon the question, nor is it any fair ground to shew that the Presbyterians may not safely be trusted, for there is a principle of union amongst the Protestant sects in all their varieties, which must be friendly to a Protestant establishment; whereas the Roman Catholics, if they hold the sentiments professed for them by their own most approved authors, they must be anxious for the destruction of the Protestant establishment, and the erection of their own upon its ruins. The question, then, comes to this, whether for the purposes of civil government, one religion be not as good as another, or whether, if one be more proper than another, the protection of that one ought to be entrusted to those who must be necessarily anxious for its destruction, instead of those who are most interested in its preservation? Now, Sir, though I am unwilling to say any thing that might have a tendency to awaken religious animosity, I must observe, that I cannot consider this as a mere political question, for it is a religious one also; and every man who so considers it, ought to look into his own mind, and weigh gravely whether it would be right to relax the severities of the established religion. But even in a political view, historical reflection must recal many

events, the contemplation of which cannot be favourable to these claims of the Catholics. It may be easy to compose declamations upon shewy theoretical principles; but it is not quite so easy to give them a safe and practical operation. I would therefore advise every man to reflect on the history of the past, and then ask himself how far it can be prudent to give an accession of political power to the Catholics.

It has been suggested, Sir, that this measure would reconcile all differences, and produce a cordial union amongst all parties. If I could view it in that light, I would be one of its warmest advocates, but I can see no hopes of its producing any such beneficial effects. On the contrary, Sir, I think the appointment of this committee would only tend to agitate and disturb the public mind, that it would open a new focus of inflammable matter, the more dangerous, because the lowest as well as the highest classes would be involved in the general ferment; and a source would be established for perpetual party differences. Sir, the House has been told, that if these claims are not granted, Ireland is lost. This is a prophecy, however, which I do not clearly understand, and affords an argument in my view which, though used in favour of your petitioners, should operate directly against them. What are we to understand from it? Do hon. gentlemen mean to say that the Irish Catholics would desert their duty, and refuse to defend their country against foreign invasion, if their claims are rejected? Do gentlemen mean to insinuate, that they would themselves feel less inclined to support in such case the interests of their country? Does the allegiance of the Catholics then sit so loose upon them? I, who may be considered their opponent, do not join in this opinion of their advocates, because I hope they have a deeper sense of their duty. But if I still hear it asserted that Ireland in such a case would be lost, I must say that those whose allegiance sits so loose about them, are the very last who should be entrusted with any great portion of political power. Sir, I must once more express my regret at the frequent agitation of this question; and I think it would be more for the interest of the petitioners themselves that it should not thus repeatedly be pressed forward. I think it is extremely desirable that the question should be set at rest one way or another.

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Let the petitioners try the effect of time, and await the arrival of a period when perhaps parties may be brought nearer to a mutual acquiescence, and their case may be considered under circumstances more favourable to their hopes than they can now acquire by a restless importunity. I give great credit to the leading advocates of this measure on the other side of this question, who have refrained from urging this subject when they themselves were in administration; and I hope their good sense and reflection will teach them to discourage it henceforward, and thereby shew that their conduct has not changed merely with their situation, and that they will not attempt to make this subject a badge of political party and a means of getting into power.

Right Hon. W. Elliot.—Sir, no person who has not the ties of filial piety and attachment to it, can hold the University of Oxford in higher veneration than I do; nor can any one more readily subscribe to the opinions which my right hon. and learned friend has claimed for that great and ancient seminary, in its selection of its representatives. In one point of view, perhaps, the very Petition on the table may be considered as creditable to it, because it marks the gradual conquest which that learned body is making over its own prejudices. On former occasions it has been unanimous: in the present instance, by the acknowledgment of my right hon. and learned friend, it has been much divided in its opinion. It has also been very tardy with its Petition; and even with this delay, time has scarcely been given for the collection of the sentiments of the distant members of the University. All this is good. It shews the march and progress of truth and reason on this great cause. In the few observations with which I mean to trouble the House, on this most momentous topic, I must beg to be understood as disclaiming all notion of resting the merits of the question on any ground of abstract right. Religious toleration is, in my view of the subject, (certainly at least so far as it has reference to qualifications for civil offices,) a matter of moral and political prudence. If the laws alluded to are necessary for the security of the state, no doubt they ought to be retained, perhaps strengthened and confirmed. But if on the contrary, the public safety does not demand their continuance, and if (as I certainly think) their repeal

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by conducing to general harmony, can contribute to the public strength, then indubitably they ought to be rescinded. The policy of the measure being admitted, its justice can be no matter of dispute. The question, like every other question concerning human affairs, ought to depend on a comparative view of its advantages, or disadvantages, or rather, I should say, of its benefits and dangers. I lay a stress on the word dangers, because if the dangers can be shewn to be ill founded, or even if they can be much extenuated, the benefits stand out so much in the sight of all men, they rush in so irresistible a torrent upon our minds and understandings, that I should have to accuse myself of an almost wanton consumption of the time of the House, if I were much to enlarge on them. The arguments against further concessions to the Roman Catholics, seem to range themselves under three heads; 1st, the dangers to the state; 2dly, objections which are attempted to be drawn from the principles of the constitution; and, 3dly, a doubt which is entertained of the beneficial efficacy of the measure, in the event of its accomplishment. With regard to the dangers, it may not be improper to remark, that some of the arguments, which used to be derived from that source, and which in many discussions on the subject have been much insisted on, seem of late to be abandoned. They ought not, however, to be wholly lost sight of; because if positions which were once deemed so strong, are now relinquished, there is rational encouragement for hoping that those which remain may not be found so impregnable as the adversaries of this cause wish them to be thought. Others of these dangers have, from the change of the circumstances of the world, long since passed away in the judgments of all men. The recal of a Catholic to the throne, for instance, can no longer be a subject of fear. No one, I presume, apprehends that the king of Sardinia is likely to be taken from the remnant of his dominions and fixed upon the throne of these realms. The temporal power of the Pope also presents no formidable danger. On the contrary, it has been our wish and object to protect it, and in its defence both the blood and the treasures of this country have been, as I think, wisely and nobly, though unsuccessfully expended. But the spiritual authority of the Pope is still, it seems, an object of apprehension, as

portending peril to our civil rights. In the term spiritual authority of the Pope, I mean to include his alleged power of dispensing with oaths, together with the tenet attributed to Roman Catholics of not keeping faith with heretics. These imputations, however, it is to be remembered, have been formally and solemnly denied by six of the most eminent Roman Catholic universities in Europe, as well as by the preambles of several statutes on the table, which not only recognize the Catholics as good and loyal subjects, and fit to be trusted with much civil and military power, but declare the restrictive laws to have been inefficacious for their purpose, and injurious to the welfare and prosperity of Ireland. I must remark too, that if there were any foundation for such odious fears, the precautions relied on do not appear to be either very efficient or very logical.—The danger asserted is, that Catholics cannot be believed when they swear. The security insisted upon is an oath. But it has been alleged by some gentlemen who admit the sincerity of the Catholics in the abjuration of such tenets, that it is in the nature of all religious sects to endeavour to promote the interests of their own faith; and that if the Roman Catholics were invested with political power, their aim would, of course, be directed to the advancement of their religion. If, however, this argument has any validity, it must equally apply to the Protestant Dissenters, many of whom deny the ecclesiastical supremacy of the crown; and yet the disqualifying laws with regard to the latter description of persons, have in Ireland been long since repealed. The objection also, as urged against further concessions to the Catholics, comes too late; for we have already admitted them to a large share of political power;—we have put arms into their hands;—we have capacitated them for many civil offices;—and, above all, we have given them the elective franchise. What we have reserved, therefore, though it is an efficacious instrument of discontent, is impotent for security.

The danger to Protestant property used to be another of the perils apprehended. The revival of antiquated titles, the most absurd certainly of all the bugbears which have been employed to raise up terrors in the Protestant mind: but upon this topic it is not necessary to dwell, as the objection seems to be now abandoned, and indeed the Protestant petitions on the table are an irresistible refutation of it.

Having thus touched upon the principal dangers, I now come to that class of objections which it has been attempted to draw from the principles of the constitution. One of these is the Coronation Oath; but as no one has resorted to it in the present discussion, I presume I may consider it as relinquished, and therefore shall not abuse the patience of the House by canvassing its merits. Another argument, that falls within this class, and to which much weight has been ascribed, is founded on the protection which the Church establishment receives from those laws which are described as fundamental. But surely my learned friend, and those who relied on this objection, did not mean by the term fundamental laws—laws over which the legislature had lost its competence. It surely will not be maintained, that any legislature could for ever divest itself of the power of executing its proper functions, and render itself incapable of making regulations suitable to the exigencies of the interests over which it presides. To argue thus would be to set the Church above the State, in direct contradiction to the principles of the constitution, and to one main object of the policy of our ancestors. Another impediment, which falls under this head of objections, was formerly urged against the measure; and though I have not heard it brought forward in the present debate, and though I am convinced it is an opinion that can never be entertained by more than a very few individuals within these walls, I cannot permit it to pass without notice, because it is calculated to make a most mischievous impression on the people of Ireland, and because it derives importance from the authority of the person from whom it originated. Should the right hon. gentleman (Mr. Perceval) upon more mature reflection have abandoned it, I am sure he will have the beneficial and becoming candour to avow his change of sentiment. If I should have the satisfaction of hearing it is to be numbered among the extinct and deserted objections, I shall most willingly leave it to its fate, and consign it for ever to its sepulchre. The position to which I allude is, that the Union is a bar to the measure. If I should find it still persevered in, I shall, in contradiction to it, refer to the instrument of Union itself, the fourth article of which expressly reserves to the united parliament the power of altering the oaths. I shall appeal against it also to the debates of that period on both

sides of the channel, to the subsequent conduct of Mr. Pitt, and of my noble friend (lord Castlereagh) who had so prominent a share in that transaction. That there never was any specific pledge made to the Catholic body I have more than once declared; but that their expectations were excited by the language of the most eminent statesmen of that time in both parliaments, that they acted under the influence of such expectations, and that the accomplishment of the measure was much facilitated in consequence of the impressions they had received, can be a matter of question with no men at all conversant with the history of that great arrangement. If therefore the Union is to be set up as an obstacle in the way of the Catholic claims, I must, in vindication of myself as well as of those with whom I acted at that period, protest against such an argument, as not only founded on a most erroneous view of the facts, but in every respect most imprudent, ungenerous, and unjust. And I trust that though the issue of this night's discussion should not prove favourable to the immediate consideration of their claims, the Catholics will not attribute the decision of the House to any impression that the Union is an impediment to the object of their Petition; but that the members on a division will evince to them that they may ultimately look with confidence to the liberality of the united parliament for a participation of those privileges of the constitution which are still withheld from them.

The third head of objections against the measure appears to be of a speculative nature. My right hon. and learned friend has expressed doubts whether the removal of the disabilities would produce the benefits expected from it. To this, I can only reply, that, if the incapacities complained of are admitted to be a rational ground of discontent, there seems a good foundation for inferring, that, by taking away the cause, we should, in a great degree, remove the effects.—“Oh! but,” it is said, “a few of the leading members of the Catholic body may feel an interest in the object, but the mass of the Catholic population are perfectly indifferent to it;” and this has been a very frequent and favourite topic with several very leading supporters of Protestant monopoly. Is it, however, to be believed, that three fourths of the people of Ireland, living in the midst of the franchises of the British constitution, should not wish to participate the privileges enjoyed by the other fourth? And

is it right—is it politic—is it safe that a nation remarkable for talents, and growing daily in numbers, opulence, and power, should be bereft of all hope of attaining to stations of honour and eminence in the state, but through political change and revolution?

Let us now turn our eyes to the commercial part of the community. Is it possible that, when a person in that most respectable vocation of life, has, by his industry and integrity, acquired wealth and a well-merited consideration amongst his fellow citizens, he should not feel galled by his exclusion from all municipal and corporate dignities,—from even such commercial companies as the Bank? Let gentlemen look to the situation of the bar, a body which has every where a mighty sway on society, and the influence of which is not diminished by its distance from the seat of empire. I speak in the presence of the most eminent and distinguished members of that profession. Is there any one amongst you who, when he has arrived at all the estimation to which wealth, and diligence, and learning, and ability, can lead in professional practice, who would not feel disparaged and mortified at being precluded from aspiring to those high offices, which, though certainly situations of considerable labour, are stations of dignified repose, compared with the hurry and bustle and fatigue of the ordinary practice of the profession? But it is to be recollected, that these impressions are not confined to the members of that learned body: they extend to fathers, and sons, and uncles, and cousins, and the most remote connections, and are thus diffused throughout every class and gradation of society. This is a matter of grave and serious reflection; for surely there never existed a period in the history of our country, when it more behoved us to draw whatever talents, virtue, and industry could be found in the state into a capacity to serve it. In the army, too, what is the encouragement held out to Catholics of fortune and education, and of noble families, who, after having gone through the drudgery of the junior ranks of the profession, maimed and wounded, perhaps, in fighting the battles of their country, and with their health exhausted by noxious climates, are condemned to see their juniors in the service, and persons possibly of far inferior qualifications and merit to themselves, pass by them to the superior stations of the profession?

There are other circumstances of absurd incongruity connected with this part of the subject, which I will not here omit to recal to the recollection of the House. We profess to think it incompatible with the security of the constitution, that the crown, (though Protestant) should be entrusted with the discretion of admitting Catholics into the higher class of military appointments. Let us examine, then, our consistency, in such apprehensions. In Ireland, as the law at present stands, promotion in the navy is open to Catholics without any restriction. The squadron riding at this moment in Cork harbour might be manned and officered by Catholics, and might be under Catholic command, though, by another strange anomaly, if those Catholics should be brought, by the exigencies of service, to Portsmouth, they would be liable to the penalties of the English laws. The coasts of Ireland, as the House well know, are full of ports and havens, and present innumerable maritime advantages; and if at any future period it should be our policy to avail ourselves of such resources, and establish dock yards and naval arsenals in that part of the United Kingdom, all that portion of our strength might be placed by the crown under Catholic direction and control: yet it seemed to be admitted, that under this state of the law there was no ground for fear. In Ireland, also, the crown might have in its service, Catholic soldiers, Catholic non-commissioned officers, Catholic subalterns, captains, majors, lieutenant-colonels, and colonels. There was no law (at least of which he was apprized) which compels the King to put any proportion of his army under the charge of a general. His Majesty might combine his military forces as he chose: he might place ten regiments or twenty regiments together; and they might, in Ireland, be Catholic regiments; and they would be under the command of the senior officer, and the senior officer might be a Catholic; and all this is allowed to be perfectly safe. But, if it were proposed, that his Majesty (though we have the guard of an annual Mutiny Bill) should be enabled to appoint that Catholic colonel to the situation of a general on the staff, then fall upon us the terrors of Popery, the dread of the revival of the flames of Smithfield, and of the renovation of the tribute of St. Peter's pence. Now I would appeal to the sober judgment and reflection of those who hear me, whether at a conjuncture, in which these

is neither vexation nor exaction, that we scruple to impose upon the people for augmenting the ranks of our army, there is any sense or security in such regulations? Whether, at least, the subject is one which the House can refuse to consider. I might likewise, I believe, venture to ask, whether there has been any sense, or morality, or religion in the hateful and incendiary cry of No Popery!—My right hon. and learned friend, and several other gentlemen, in the course of the debate, have dwelt much on the topic of securities, and particularly on the Veto. For my own part, I have always earnestly deprecated the notion of entering into preliminary disputes upon points which are more properly objects of compromise than of controversy. No doubt there are, on both sides, many and strong prejudices to be overcome, and I ardently hope to see a mutual spirit of concession. Let, however, the House go into an enquiry: they will then be enabled to decide, whether any, and, if any, what conditions may be necessary, and whether such guards may not be devised as will be satisfactory both to Protestants and Catholics. Upon such informed judgment let them proceed to legislate. For myself, I have no scruple to acknowledge, that, in such an enquiry, I should wish to see a due regard paid to the opinions of the principal clergy of the Roman Catholic communion, with respect to the interests of that Church. I have nothing more at heart, than that the arrangement should be made in the way which would be best calculated to uphold the authority and influence of the Catholic clergy, as well as of the persons of rank and property in that communion, over the people of their own persuasion. Any thing that should shake the confidence of the Catholic population in their ecclesiastical teacher, would, in my eyes, be the most terrible of all evils. I am not able, in the present state of human affairs, to bring myself to tremble at the power of the Pope. Any danger which I see, is from another side. A right hon. and learned civilian, (sir John Nicholl,) in a debate which occurred in an early part of the session, has expressed much fear, not only of the Pope, but of the new philosophy, by which term, I presume, the learned gentleman meant to describe the adversaries of religious establishments, who are not always very good friends to civil establishments. From the latter quarter I confess I am not without my apprehensions. But how would I pre-

pose to guard against such a danger? By endeavouring to unite all those in affection who are united in the belief of the great principles of the Christian religion, and who are friendly to Christian establishments. Let the Church open wide her gates of toleration:—cherish religion:—the Catholic religion (the fact is beyond dispute) is the creed of the great majority of the Irish nation. Let us, then, improve the means we have. More than two centuries of experiment has shown us the fatality of our attempts at proselytism by the means of restrictive laws. By our perseverance in that course, we may make bad Christians and bad subjects, but we shall not obtain one convert to the established Church. There is no man more zealously and faithfully attached to the interests of that Church than I am: I wish to see it great, splendid, powerful, and permanent; but I cannot persuade myself that we are supporting the Church by rendering her establishment odious to several millions of our fellow-subjects. We have allied ourselves with the Catholics of Spain and of Portugal: let us also form an alliance with our Catholic brethren at home. In many points of ecclesiastical polity and discipline we agree with the Roman Catholic Church; and I am convinced that, by prudent management we might long ago have converted that polity and that discipline into an invincible rampart round the Protestant Church and the Protestant State, against the common enemy.

When we attempted violently to tear men from the religion of their early habits and education, we shook to their very foundation all public morals, and left in the minds of the people a fearful chasm which we cannot fill with the precise materials with which it might be our desire to supply it. By the system of policy which we have pursued in Ireland, instead of supporting the established Church, we have been destroying and tearing to pieces materials which might have risen into a tower of strength to it in the hour of its peril. In stating these opinions, I beg I may not be understood as representing that the concession of the Catholic claims is the only measure necessary to promote the concord and repose of Ireland. A judicious and well adjusted arrangement with regard to tithes is also a matter intimately connected with the tranquillity and welfare of that country. To its accomplishment I am not unapprised that there are opposed considerable difficulties

of detail. It involves many and complicated interests; and the execution of it will demand all that reserve and caution which ought ever to accompany measures in any way affecting the rights of property. For these reasons I have always thought, that the proposition would be best originated by those to whose hands the conduct of public affairs are entrusted. A proper and well regulated direction of the funds appropriated to education is another subject well worthy of the attention of the legislature. These, and perhaps some other measures of inferior importance, are indubitably requisite for the improvement of the condition of the people of Ireland; but the basis of all ought to be that to which the motion of my right hon. friend, (Mr. Grattan,) has called the attention of the House. It has been made a great topic of reproach against those of my friends, who have composed the late administration, that they had not introduced a subject, which they deemed of such prominent importance, to the consideration of parliament, whilst they were in the service of his Majesty. But it should be remembered by those, who so freely deal out this censure, that my friends retired from his Majesty's councils, because they would not, by a specific pledge, deprive themselves of the discretion of proposing the measure; and, as they were immediately succeeded by the gentlemen opposite, it was not unreasonable to infer that the latter were not unwilling to take such a pledge. My friends, it is true, would have forborn to agitate the question so long, as, in their judgment, it could have been deferred without absolute detriment to the public welfare, and I was one of those who advised the Catholics to abstain from urging their claims at that time, because I thought it more for the advantage of their interests, as well as of those of the empire, that the administration of public affairs should remain in the hands of persons known to be friendly to their cause, than that the government should be transferred to the avowed and implacable opponents of further concessions. Surely, however, it cannot have escaped the attention of the House, that one great and prominent obstacle to the measure, which has arisen from the scruples of a venerable and religious monarch, and which operated forcibly on the feelings both of the parliament and of the country, now no longer presents itself; and if any one can be found to deny, that the exigencies of

the empire more imperatively demand the consideration of the question at the present conjuncture than at any former period, I shall be content with referring him to the impressions described in the Protestant Petitions on the table, to which are subscribed the names of several persons, who were once among the most strenuous assertors of the policy of the restrictive code.

The present moment is peculiarly auspicious for the consideration of these claims. The Prince, to whose custody the interests of the crown are now committed, has stood high in the affection, the confidence, and the expectations of the Irish people. Whatever spirit of conciliation, therefore, is at this time manifested, would have augmented efficacy by carrying with it the air of grace and bounty. Let us not lose, then, such a golden opportunity. That the right hon. gentleman (Mr. Perceval) has the confidence of a majority of this House is manifested by its votes, but I do sincerely believe that no small proportion of those, who support his government, deeply lament the cloud of prejudice, which hangs over his councils on this subject, and darkens the future prospects of the empire. In some recent instances those persons have differed from the right hon. gentleman, and over-ruled his measures. Let them on this most momentous and critical occasion interpose between the minister and the crown for the preservation of the crown; for the security of the Church, which is inseparable from the safety of the State; for ensuring to us the full and effective physical strength of the empire in that awful contest in which we are engaged, and on the issue of which depends whatever is most dear and valuable to us in social life, the honour, the glory, the rights, the liberties, and for what I know—the very name of the country. If my right hon. friend's motion should be negatived, its rejection will amount to a refusal to consider the question. By inquiry the House would not pledge itself to any specific measure. Those, if such there be, who may think that the penal code should be retained, those who may be of opinion that part only of the desired relief should be afforded, are surely as much required to vote for a committee as those who are for concession in its full extent. Something we must do: some movement we must make: our present position, it is my clear and firm conviction, we cannot long retain.

Right Honourable *Charles P. Yorke*.—Sir; not having had an opportunity before now of stating my opinion upon this subject, I take the liberty of rising now, professing my intention, sincerely, not to occupy the attention of the House for any considerable length of time. The subject has been so frequently discussed, and the arguments on this side of the House so ably and eloquently urged, that I have not the vanity to think I can give any novel feature to the debate. And therefore, what I shall say in delivering my sentiments, will be merely to justify me to myself, with the consciousness of having done my duty.

The right hon. gentleman who spoke last has delivered himself with a temper and moderation which I could have wished was more generally observed upon discussions of this subject. Certainly his example on this occasion is well worthy of imitation, not merely on this question, but upon every question connected with Ireland: and although I have the misfortune to differ from him in opinion, I certainly cannot but agree, that the deliberations upon this motion should be such as might tend to the tranquillity and happiness of the country: and in my mind, though the assent of the House to this motion would not be attended with any particular good, yet the question should be considered with every feeling of tenderness and forbearance towards our Catholic brethren. And I confess, could I see this question in the same point of view that it has been argued on the other side of the House, I should be but too happy to give my vote for it.

The right hon. gentleman has stated in the concluding part of his speech, that which I think was not of a piece with the greater part of it, when he supposed that those who had the misfortune to differ from him were labouring under a cloud of prejudice—and when he called upon the House to get from under that cloud and interpose between the crown and ministers on behalf of parliament for the purpose of setting this matter at rest: now whether or not we are under such a cloud, must depend upon a consideration of the arguments adduced by the right hon. gentleman and those who support this question; because that consideration will not only decide the matter, with respect to us,—but whether they are not themselves under a cloud, and their eyes are not blinded to those dangers which

threaten both Church and State, when they would persuade you to accede to the demands of the petitioners.

Now, Sir, that this is a most important subject there can be no doubt, but it appears to me from the view of every part of the question, and from every enquiry I have made upon it, that we who happen to differ from the right hon. gentleman, may hope, without being denominated “Protestant Bigots” (a term applied to those of the same way of thinking with myself)—that we may be permitted to doubt—to hesitate, and to oppose a barrier where we doubt, notwithstanding all that has been said, before we depart from the fundamental laws of the realm.

I confess I was surprized last night to hear it stated, that the proposition now before the House had nothing to do with the fundamental law of the land; and I was asked what the essential laws were? And I was also much surprized to hear, that the same thing had been repeated in another place. It has also been stated, that there was not one word in the Bill of Rights relative to the Catholic religion. Now, without going any farther, I must beg leave to read some of the Articles of the Bill of Rights in order to prove this assertion to be totally false. I admit that there is nothing in that Bill about the Roman Catholics until it comes to the enacting part, which is as follows:

“And that whereas it has been found by experience that it is inconsistent with the safety and welfare of this Protestant Kingdom that it should be governed by any king or kings of the Popish faith.” And it then enacts that princes of that persuasion shall be excluded from the crown, and absolves all their subjects from allegiance to them. Princes and princesses of this kingdom were also forbidden from intermarrying with Papists.

This, Sir, is what the Bill of Rights says. Now, Sir, can any man deny that it is a settled maxim of the law of this realm, that we, as Protestants, must be governed by a Protestant king, and that you must consider, that to dissent from this maxim is inconsistent with the safety and the happiness of this country. Another clause of the same Bill goes to exclude Papists from sitting in either House of Parliament. I admit that according to the terms of the Act of Union, the oath there prescribed to be taken by members of parliament is liable to be hereafter altered. There are undoubtedly those words in that

act. But I apprehend those words were not necessarily introduced to enable parliament to alter the oath whenever it should appear necessary, for I do not go the length of saying, that the Act of Union with Ireland was a barrier to the House doing any thing with regard to the Roman Catholics when they should think fit so to do: but all I contend for is, that the established law of the realm is, that Papists are not to govern this country: and that therefore the measure now brought forward, and the proposition suggested, must have the effect, if carried, of making parliament subservient to the purpose of overturning of the constitution, and to enable the King to chuse Popish ministers.

Now, Sir, that is a most material and serious consideration, and it is a matter for the admissibility of which the *onus probandi* must lie upon those who contend for it, or to shew that it can be adopted with safety. I therefore claim the right of doubting upon this question; because all I say is, that before we agree to make this alteration, we ought to be satisfied that there is no danger to the constitution in Church and State in making that alteration.

Now, Sir, I must say, for one, that having attended to all the arguments used on this subject, and having anxiously considered it myself, I am very far from being satisfied, that our system of government ought to undergo this chimerical change: and I think the honourable gentlemen, before they can induce this House to alter the fundamental laws of the land, must also bring forward much stronger arguments, and much more conclusive reasoning, before they can be entitled to call upon those who have doubts upon the subject, to admit the Catholics to what they claim.

Having stated thus much, I have now to observe, that that which I always considered as another fundamental law in the act which makes the Protestant Church of Ireland, and that of Scotland, integral parts of the constitution of Great Britain; but by acceding to the demands now made by the Catholics, this would be annulled along with the other bulwarks of the state.

There are a great many topics which have been at different times more or less adverted to, but which I wish to dismiss from my view in my consideration of the subject. I shall content myself with adverting to some of the most prominent that have been brought forward on the other

side. I confess that I cannot agree with the right hon. gentleman who spoke last, and others who preceded him, in their arguments upon the two questions of right and toleration. And first of all, I deny that this is a question of right: and I also maintain that it is no question of toleration. In the first place it is no question of right; because no subject of a state can be said to have any right that is inconsistent with the safety of that state; and I deny that it is a question of toleration, because I hope in God that in the true sense of that word, there is no such thing known in this country as intolerance; and I do solemnly declare, that if it can be shewn that there is any thing in the law with regard to the Roman Catholics in Ireland that prevents them from the decent and proper exercise of their religion, I will go as far as any man in this country to correct it. But I utterly deny that this is a question of toleration. The truth is, that it is merely a question of political power. Now, Sir, that that is a very serious question no man will venture to deny: and that it is essential on the part of those who support it, that they should satisfy us who oppose it, by the most cogent arguments of the prudence of its concession. That this is the question appears throughout the whole debate, because all the arguments for the measure as far as it has gone, go to that extent.

Now no man living can doubt, that if this is done for the Roman Catholics of Ireland it must be done also for the Roman Catholics of England: and I must say, to do them justice, that I do not know any body of Dissenters for whom I should be so glad to bring forward such a question as the Roman Catholics of England; because they have been the most quiet, the most contented, and the most loyal class of subjects in the kingdom. But if it is fit and proper to do this for the Roman Catholics, it is quite impossible that it should not be done in justice for the other Dissenters.

I do not mean to argue that question now: but all that I mean to say is, that the question is a vital question, and that if we consent to do away all restrictions by piece-meal, we at once expose ourselves to the greatest danger; because if you do that you must remove all the test laws, and you must leave the Church unprotected from every attack, to stand upon its own foundation. But having said this, I beg to state, that my opinion of all these laws

is, that they are only to be justified by necessity. It has been said that necessity justifies them: and if I can be satisfied that there is no necessity for the preservation of our Protestant state, I am ready to give them up.

The question is really now reduced to a choice of difficulties: no man can doubt that the difficulties and impediments on both sides are very great: and the true question is on what side the greatest difficulties and impediments lie: and I for one say, that the greatest difficulties, dangers, and impediments lie on the side of the Catholic Claims, and in the view that I have taken of them I do not feel satisfied, and I must, upon that ground, negative the proposition for going into a Committee: and I think no gentleman would vote for going into that committee unless he was satisfied that something essential could be done in that committee, and that would tend to do away those difficulties and impediments.

Now I think, for one, that by going into a committee, instead of diminishing the difficulties you would increase them. For as to going into a committee for the sake of enquiring, and for the sake of getting information from the Catholics themselves, it could be productive of no good consequence. What! would you have all the Roman Catholics and all the opponents of their claims, brought to your bar to be examined? For you must hear both sides. If that was to be contended it would lead to endless confusion and dispute. If this were to be agreed to, how should the public business of the country be carried on? I say, that the danger appears to me to lie on the side that I have stated; first of all I would state that a great difficulty arises from the state of the Roman Catholic Church at this time; and upon a consideration of the political circumstances connected with the Roman Catholic Church. Now, Sir, I do not mean to go into any discussion upon the tenets of the Roman Catholic Church, with reference to a period long since gone by, because the tenets of the Roman Catholic Church are pretty well known and generally understood. And certainly I do not wish to go into any argument as to the difference of these tenets at different times. But what are these tenets? Now, Sir, I have listened with very great attention to many gentlemen who have spoken on this subject, and I confess I feel very little satisfaction on that point: although it may

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be said that many circumstances respecting the tenets of the Roman Catholic Church have been altered, and that many of the most dangerous tenets have been got rid of, yet there is one circumstance that is very remarkable, and to which I cannot help calling the attention of the House. We have heard a great deal of the opinions of the Catholic universities. It was resolved in the year 1790, that the opinions of these universities were favourable to the supposition that many of the tenets of the Roman Catholic Church were unimportant. But I beg to ask the honourable gentleman, and the right honourable baronet opposite me, whether the court of Rome or any general council has ever distinctly abrogated any of those tenets or done them away. (Sir John Cox Hipplesley said across the table that they had.) I would beg to know from the hon. baronet, who seems so well versed in these points, whether there is any one article of the council of Trent that has ever been regularly abrogated on any authority by which the Pope and Cardinals would be bound? It may be true that many of these opinions may have become obsolete, and may be dormant; but who can say they may not be revived? If certain circumstances were to arise, and a Pope should come to the Papal see who should revive these doctrines, who is to prevent him? Then, I say, if there has been no regular abrogation of those tenets by the see of Rome, they must be considered to all intents and purposes, as the principles of the Catholic religion. I must say for one, that when I first came into parliament and this business was first brought forward, I was one of those who anticipated with great satisfaction the removal of those obstacles now complained of; and there was no man who felt more pleasure than I did, when the present lord Redesdale, then attorney general, brought in a Bill for ameliorating the state of the Catholics of England. But I felt still greater pleasure in what was intended to be done for the Catholics of Ireland. But I must say, from that time I have been more and more inclined to think that the opinions I then formed were hastily formed: and the moment I had any opportunity of considering the subject, I, for one, have been less inclined to proceed any further in concession. The first circumstance that induced me to doubt of the propriety of my first opinion, was an opportunity I had of knowing what passed upon the subject

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of that Bill which lord Redesdale brought in, and the controversy that arose at that time between the Apostolic Vicar of the Catholic Church, and the Catholic committee. I do not know whether that controversy is in the hands of any gentleman; I know that it was bought up by the direction of the committee, and in a very little time there were no copies to be had. The two letters published by the Roman Catholic committee were written in consequence of the letter of the Vicar Apostolic in the year 1790, on account of the Oath it was proposed by the Roman Catholic committee to take, in which they denied altogether the temporal authority of the Pope in Ireland, and even his spiritual power, *sub modo*. Upon a reference to the proceedings of the Roman Catholics on that occasion, we shall see how much they were controuled by a foreign spiritual authority: The Oath proposed by the committee was founded on their own protest, in which they called themselves the protesting Roman Catholics. It was signed I believe by almost all the respectable Roman Catholics in this country and by a great many of their bishops; I think the name of Dr. Milner was amongst them: but the Apostolic Vicar, without assigning any reason, forbid the Catholics to take this Oath. This led to a discussion of considerable length, the result of which was an explanatory declaration from the Apostolic Vicar, "That no new oath should be taken without consulting the bishops, in whom the supreme authority resided as governors of the Church of Christ and keepers of the faith." A controversy ensued which was considerably protracted, and in course of which a great deal of scholastic learning was displayed on one side, and a great deal of sound sense, and certainly I never in my life witnessed more true Christian piety displayed any where than in the two letters to which I have alluded. The committee were desirous to induce their bishops, some of whom had refused to sign the protest, to agree with them in the object they proposed, and relinquish their objections. The bishops refused; but the committee were nevertheless unanimous in framing the Oath, which was afterwards adopted by the parliament of Ireland: and here it is material to state the nature of that Oath, in order to shew the ground upon which it was opposed by the bishops.

The Oath set out with disclaiming as impious and heretical that damnable doc-

trine, that princes excommunicated by the Pope may be deposed from their dominions, and their subjects absolved from their allegiance. They abjure most solemnly that opinion imputed to them, that no faith is to be kept with heretics; and they also abjure the opinion, that any foreign prince or potentate hath or ought to have any temporal power in these realms. And further *sub modo*, "that no foreign bishop, priest, or any other ecclesiastical power whatever has a right to exercise any spiritual authority in these realms hostile to the state, or that can directly or indirectly interrupt or interfere with the independence and security of the Protestant Church or Establishment, or the rights, liberties, and properties of his Majesty's subjects."

Now, Sir, the last passage was the one objected to by the bishops, and struck out of the Oath. But this was the most material passage to us, although thus condemned by the bishops. It was pretty material they should object to an Oath so worded; and it is pretty good authority for those doubts now entertained with respect to the Roman Catholic clergy. The result however shewed that even the laity were taught to consider themselves as departing from the principles of their spiritual faith, if they abjured the authority of the see of Rome in this respect.

Now, Sir, this controversy went on for a considerable time, and great acrimony was indulged on both sides. The protesting Catholic committee complained most grievously of the conduct of their bishops, who by their constant interference prevented the success of their political objects, and the bishops in their turn, charged them with a dereliction of the principles of their religion, and the committee at length submitted and gave up this oath. In giving up this matter on the part of the protesting Catholic committee two things became manifest. In the first place, that no concession would be made by the Catholics; and in the second, that the priests were more absolutely masters of their flocks than they were even in France—or in Italy itself.

Now, Sir, in spite of all the conclusive reasoning in these letters to which I have alluded; in spite of the condemnation of the conduct of their bishops expressed by the Catholic committee; and in spite of the conviction in their own minds of the propriety of what they were doing, they were obliged to give way to their bishops

and to the authority of the Pope; and I am credibly informed, that in consequence of what took place in this letter to their bishops, many of the gentlemen of that committee expunged their names from that protestation, and many others of them dared not so much as sign their names to it. Now this draws me to an observation in reference to the Veto. No man can doubt that the Veto met with the approbation of the Catholic laity, when it was first mentioned in this House. But when the bishops interfered, we heard no more about the Veto. Why then, Sir, when we know and are conscious of the interference of the Catholic clergy upon the subject of the Veto, I cannot hesitate to say, that the Catholic religion is just as objectionable with a view to these concessions as ever it was. It may be very true that the Catholics have a clergy of great morality and excellent learning: but it must be recollected that this clergy is the most devoted of any Catholic clergy in Europe, to the see of Rome. I observe that this question about the Papal authority is kept very much in the back ground by those who advocate this cause. It is quite ridiculous, they say, that the mere allegiance of the Roman Catholic clergy to the Pope could operate to produce the consequences we apprehend. But is this not a matter of some consideration, at least? It is said that the present Pope has shewn a resistance to Buonaparté, and that there is no danger now from the Papal authority. Perhaps not: and for my own part I heartily wish he was liberated, and that he was now an independent power, because, then there might be much more probability of our coming to a satisfactory understanding upon the subject: but what I complain of is, that notwithstanding all that has been said, we never hear any thing of the Roman Catholic clergy of England and Ireland coming forward to explain what their views are with respect to the canonical election of the Pope, or whether or not they are ready to transfer allegiance to any new Pope however chosen. Why are they silent upon that subject? I do not mean to say that I should be satisfied with any thing they could propose: but at the same time I should be glad to hear what it is the Roman Catholic clergy of England, Ireland and Scotland think of the Papacy at present, when the person of the Pope is in the hands of Buonaparté, when the Roman see makes a part of France, and the greater part of the Roman

Catholic countries, south of the Pyrenees excepted, are under the power of the ruler of France?

Now I am persuaded that the gentlemen who speak on this question are acquainted with the state papers which Buonaparté has published on this subject; and they must be convinced that his intention was, if he could not compel the present sovereign Pontiff to submit to his views, then to nominate a new one in his seat, who would be subservient to his purposes. This idea may perhaps be ridiculed, but I must say, speaking in the language of lord Grenville in that Letter which I presume is his, as it was published by his authority, and in which that noble lord does seem to think, that it is not quite unreasonable that there should be a number of persons in this country, who do look with a certain degree of jealousy to that foreign command, to which the Roman Catholic clergy profess to submit, at a time when the Pope is in the hands of the bitterest enemy of this country. I confess I do not chuse, for one, that Buonaparté, having the controul as he now has, of the Papal authority, and which he ultimately will have; and when the Roman Catholic bishops of Ireland consider their allegiance to be transferred to the Pope, I do not chuse, I say, that Buonaparté should be keeper of the consciences of three fourths of the people of Ireland. What I mean by that, is, that I think I have proved that the Pope and the clergy have the greatest influence over their flock, and that I do not chuse that Buonaparté should be the nominator of a Pope of his own, and who would become a subservient tool of his views, to direct the consciences of the Catholic subjects of his Majesty. I may be wrong, but that is my opinion; and I give my opposition to this motion, upon a consideration of the danger that must arise from the influence of the Church of Rome under such circumstances.

Now, Sir, in apprehending this danger, I am not without some authority; and I will beg leave, upon this subject, to read a passage from Mr. Locke on toleration. He goes much farther than I do in this doctrine; because he states at once, that the religion of a foreign country has no right to be tolerated by the magistrates of another country, within that country, where the head of that foreign religion is under the protection of another prince or potentate, because the magistrate might be justified in apprehending that the influence

of such authority would be used against his own government.

Mr. Justice Blackstone also is another very great authority; upon this subject, and he maintains that every Popish priest upon taking his oath for orders, renounces his engagements and allegiance to the government of which he was a subject. Now, Sir, there is one circumstance in the course of this business, which I confess surprises me; and it is this, that when we hear so much of the Roman Catholics, of whom I speak with all deference, being exceedingly exasperated against government, and so indignant against us, because they are not admitted to the possibility of sitting in parliament, of being commanders in chief of armies, of being officers of state, and that they consider themselves an oppressed people, and degraded in the eyes of their fellow creatures, by submitting to wear the galling chains of thralldom; yet say nothing about the slavery to which they are compelled to submit under their priests, and those priests completely devoted to the see of Rome. Now, it is surprising that men having the light of human reason in their minds, that men so feelingly alive to the value of liberty, men who are complaining of their Protestant brethren because they refuse them a participation of all the privileges of the constitution:—it is surprising, I say, that these men never once except against the tyranny their priesthood exercise over them;—that they submit patiently and quietly without murmur or complaint to the tyranny, not of an English or an Irish Pope, but of any miserable foreign miscreant, French or Italian, who may chance to be elected Pope, no matter how, and submit to him without complaint: and yet these are the men who are so tremblingly alive to the pressure of these restrictions!

I have already admitted that these restrictions are hostile and dangerous where the security of the state does not require them: but let us see what they are.—Do these restrictions amount to any thing more than an ideal grievance, when we see men like these at this time of day, without complaint or remonstrance—without shaking off their degrading slavery, and remaining the vassals of such miserable miscreants, absolutely without making the smallest struggle. Now, Sir, I do maintain, that there is great danger in the present situation of the Roman Catholic Church, and I say that there is greater danger now in that Church when it is

connected with the peculiar circumstances of the present time. But then it is said, if you would concede these claims you would tranquillize Ireland. Now, Sir, that argument seems to be one taken up by gentlemen on the other side of the House in the moment of distress, and I have no doubt that they would have laid hold of any thing floating on their minds, whether right or wrong, to serve their purpose. But that argument I contend to be an argument of pure intimidation. If you do not give way, what will be the consequence?—Why, the right hon. gentleman has even gone farther than those hon. gentlemen around him. He has spoken more distinctly than any of them. And he has given us reason to apprehend, that an immediate rebellion will be the consequence of our refusal. I am quite satisfied that it is utterly impossible for this country, unless they mean to give up the whole of their share in the government, upon the ground of intimidation, to surrender what the Catholics now claim; for you cannot stop short of any part without giving up the whole: because if you are to be intimidated in one thing, you will be intimidated in another: and if we are to be intimidated against our own opinions, and with our eyes open to the danger that threatens our Church and State, it is useless for us to waste our breath in debate on the subject. 'But unless it is intended that every function of government shall be resigned to Papists, the House will not listen to such suggestions. If you allow the Roman Catholics to sit in this House, and to hold the different offices of the state, the next application will be for a Church establishment. And does any man think that you can conciliate or compromise with the ambition of men in so active a profession? I say if you do not satisfy the priests you do nothing. I think I have proved that the Roman Catholics are under the implicit controul and authority of their priests: and to suppose that the priests would be satisfied with seeing their flocks possessed of what they asked, by a well-timed intimidation, that they themselves would be satisfied to remain in the humble situation wherein they are at present. I say if you suffer yourselves to be intimidated in this way, they will naturally resort to the same means, and you cannot refuse them.

I would ask, then, to what extent will this go?—I say, that when once the priests are allowed to taste the sweets of tempo-

ral power, nothing will satisfy their greedy appetites. The first thing they will do, will be to root out the Protestant Church Establishment of Ireland, and seat themselves in the places of those who now fill that establishment. At least they will stick themselves by the side of it, and insist on sharing the provision for that Church.

Why then, do you suppose, that you can conciliate upon any such grounds as are now contended for? Certainly not. It appears to me, that by giving way upon this point, you will be called upon for further and greater concessions. If you open the doors of this House to the Papists, you will speedily see a Catholic party in parliament. I need not say what would be the consequence of such an event, in the present situation of parties in this House. When once they get inside of these doors, we should speedily see the Catholic party would be pretty strong; and I have not a doubt that gradually augmenting in strength, we should see those Protestant gentlemen whose ancestors manifested a constitutional opposition to the dangers of Papacy, would be amongst the first who would be forced out of it. Although I am convinced that property will always have its influence, yet I am not sure that it will be always sufficient to counterbalance that sort of authority which the Roman Catholic clergy possess over their flocks. And it would not be presumption in me to anticipate, that many years would not elapse before you would have a Catholic instead of a Protestant parliament.—And I say, that if the Roman Catholics are obliged to truckle to their clergy in the way I have described, will not Catholic members be more likely to look to the maintenance of their own Church, if they are sincere Catholics, than they would to the maintenance of the Protestant Establishment. And it is not unnatural, that being a distinct body of men, they should act together in that body, and that they should carry on their operations together. But I do not go the length of saying, that I never will agree to concede to the Catholics in any case, what is required. Let me see that the Roman Catholic religion is put upon such a footing within the United Kingdom, as to take away the apprehension of foreign influence, and then I shall be ready to reconsider this subject, because that is the only point to which I have objection. As to the difference of religious tenets, I hold them as nothing. As to the belief in tran-

substantiation and the worship of the Virgin Mary, I have nothing to do with either: I have no objection to sit in a British House of Parliament with any man who worships the Virgin Mary, provided he abjures the supremacy of the Pope. Let him do that, and I have no objection to sit in parliament with him, and treat him as he ought to be treated.

But, Sir, is there not something practicable upon this subject to remove our objections? Look at the present situation of the Pope; and I think there is enough to found an expectation or a hope that some event will arise to the Popedom, which may afford a probability of our coming to some arrangement upon this subject. Whenever that event happens, it will be for the Catholic bishops of England and Ireland to tell us what they will do to conciliate our concession. But if they still consider their allegiance as inseparable from the Popedom of Rome, and that they give us a positive denial of what we wish, they know and we know how to act. But if they will shake off their yoke, and something of their Popedom, we will then be able to meet them upon something like conclusive terms. But however, if after all, they are determined to have a Pope, in the name of God let them have an English Pope or an Irish Pope, I have no objection that they should have an Irish Pope of their own, and I think he might reside at Ballyshannon, or any where else they please, so he be but a British subject, and we can then talk of the matter. But as long as they continue their allegiance to an Italian or any foreign Pope, I shall decidedly set my face against their claims. What is to prevent them, if their doctrines require that they should have a head to their Church, from establishing a Pope in England or Ireland? I should have much less objection at this time of day to a Pope in England or Ireland, than to give themselves up bound hand and foot to a foreign priest.

Under these circumstances, Sir, looking at all the difficulties and dangers that now surround the country, I should not satisfy my conscience if I did not give the motion my most strenuous opposition.

Mr. Brougham. Sir; In rising to support the motion of my right hon friend below me (*Mr. Grattan*) I differ with extreme reluctance from a right hon. and learned judge, the representative of the University of Oxford (*sir W. Scott*) for

whose profound learning and exalted judicial station I feel on all occasions the highest respect, and to whose conscientious motives for delivering the speech with which he opened this debate, a speech which I scarcely know whether more to admire or to lament, I am fully disposed to give implicit belief. But whatever may be my deference for that distinguished judge in private or in professional life, my duty as a member of parliament compels me here to speak my sentiments frankly and unceremoniously upon this great question, how widely soever they may differ from his, and imperiously as the necessity of supporting them may prescribe to me a conflict with him, which, on any other occasion, I should gladly decline. Such, indeed, are not exactly the feelings which one has in differing with the right hon. gentleman who spoke last, and elaborately followed the learned judge though with unequal steps, nor are any sensations of diffidence in the cause itself mixed up with the personal deference which it is impossible not to feel towards some of its opponents. For now, Sir, having heard all the arguments which could be urged by both those gentlemen—by the most distinguished and by the most zealous of all its enemies—I think I may take upon me to assert that it rises from the conflict, not merely uninjured, nay untouched, but more triumphantly established than before, this, I trust, its last struggle for success. Let me beseech the House to recollect the grounds on which they have anew preached up the doctrine of danger to the Church establishment. Into what do they resolve themselves, and by what authorities are they maintained? The learned judge predicts the overthrow of the establishment from the ascendancy as he calls it of the Catholics, and reads as proof of this, an extract from some anonymous pamphlet, which he holds to be of Catholic authority, and which he selects in preference to the undisputed documents of that body, because he there finds it written that if the Catholics are admitted to a participation in the benefits of the constitution, they will forthwith seek to overturn the Protestant Church. This is the sole ground of the learned judge's fears; and from this unauthenticated assertion—from this bare statement, for aught we can tell, of an enemy to the Romanists, assuming the guise of one, with the intention probably of being cited against them, an intention

which the learned judge has taken care should not be frustrated. From this foolish or insidious production, at the least this fugitive tract of an anonymous writer, I appeal to the records of parliament for an ample and triumphal defence of the Catholics—look at the solemn oaths prescribed by the statute—look at those declarations of allegiance to the constitution in Church and State which the laws enjoin. Remember that the Catholics have never yet refused to bind themselves by those oaths and declarations; and reflect, too, that the whole question now before us is one of oaths and declarations; so that you who doubt the Catholics and suspect them of an intention hostile to the Church establishment, and who upon those doubts and suspicions would found an argument for the necessity of the existing penal laws, that is to say, of tests, of disqualifying oaths and declarations, cannot for one instant object to the evidence of their loyalty to that establishment, which I am now tendering, because that evidence is your own favourite one of tests by oaths and declarations. Then what are the oaths now universally taken by the Irish Catholics? They are the strongest that language can convey. I defy the wit of man to devise more ample pledges of attachment to the establishment as a political institution. They are couched in the very words which the most zealous Protestant would be forward to use for the purpose of displaying, nay making a display of his loyalty to the Church. In truth they are the oaths invented by yourselves, as sufficient to satisfy your anxiety for the Church, to disarm your fears for her security, they are the oaths by which you intended to obtain all the safeguards that swearing and declaring can give.

Surrounded as I am by lawyers and by Irishmen, (sir S. Romilly, sir A. Piggott, the knight of Kerry, Mr. Grattan, Mr. Parnell, &c.) I ask the former what tests more ample, more strict were ever contrived by legislators; I appeal to the latter which of them has ever been refused by any zealot among the millions of their Catholic countrymen. I will read this document then from the statute book, at once to sweep away from the face of this debate all the imputations which the learned judge has collected from his twopenny anonymous pamphlet, in order to call the conduct of the Irish into question, and to encumber this great question:

"I, A. B. do swear, that I do abjure,

condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any person whatsoever for or under the pretence of being a heretic; and I do declare solemnly before God, that I believe, that no act in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour that it was done either for the good of the Church, or in obedience to any ecclesiastical power whatsoever."

"And do declare, that I do not believe, that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm."

"I do swear, that I will defend, to the utmost of my power, the settlement and arrangement of property in this country, as established by the laws now in being: I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, for the purpose of substituting a Catholic Establishment in its stead; and I do solemnly swear, that I will not exercise any privilege to which I am or may become entitled, to disturb and weaken the Protestant religion and Protestant government in this kingdom. So help me God."

This I think, Sir, is enough; but it is not all. I next answer the learned judge's pamphleteer, by referring to those Petitions on the table, signed by thousands of the most eminent of the Catholic body, asserting, in terms strong and affecting, their attachment to the constitution, and disclaiming, in language equally unqualified, all designs inconsistent with the perfect safety of the Protestant Church. To that state they pay their taxes, though to them its offices, its distinctions, its benefits, its protection in a great measure are denied. To that Church they pay, without a murmur, the tythe of all they have, though to them it can by no possibility afford any spiritual succours: and because, in addition to the payment of tribute and tythe, they bind themselves by oaths and solemn declarations, to support both Church and State, and abjure, in the sight of God and man, every feeling inconsistent with the safety and interests of both; and because every time that they petition parliament for relief from the disabilities under which their conscientious adherence to speculative opinions lays

them, they carefully repeat those disclaimers which they are always ready to verify upon oath; you, therefore, tell them, having, it would seem, no better reason to give for refusing their prayers, that you are afraid to grant them. To grant them? No; but that you dare not even listen to them, lest they should seek to overthrow the Church which they support by their tribute, and which they have sworn never to injure. But their oaths and professions are not to be trusted, for they may be made in order to be broken: true, and so might I argue, who am an enemy to all such tests; but let me tell the gentlemen opposite, this is precisely that thing which they must not say; for all the securities which they ever have thought of, are oaths and professions, and the only dispute at present between us is, whether we shall trust the safety of the state to such tests, or seek to establish it in the hearts and affections of a faithful and generous and grateful people.

This fallacy lies at the root of all the arguments urged; let me rather say, the alarms sounded by the right hon. gent. who spoke last, and bolstered up by him with extracts from volumes of Catholic controversy and correspondence. He detected other sources of danger from the concession of these just claims. But I would rather refer you for a statement of them to the more mild and guarded eloquence of the learned judge, whom I should fear to grapple with on almost any other question; and whose dextrous, insinuating arguments I should in vain attempt to oppose by any other means than referring to the plain matter of fact, as it lies before us. This is the only way in which I can hope either to blunt the edge of his wit, or to disentangle the mazes of his seductive and elaborate sophistry; but it is, I think, sufficient to do both.

Satisfied then, that the Catholics entertain a deep-rooted hostility to the establishment, notwithstanding their own repeated and solemn declarations; nay, convinced, as he says, that in order to act conscientiously they must seek by all means, its destruction—for the learned judge can form no better opinion, it should seem, of conscientious conduct, at least in a Roman Catholic, than first swearing not to do a thing, and then doing it; he proceeds to a topic so frequently urged, and so constantly refuted, that I should have no apology for even adverting to it, did I not remark that, with

some persons, it always pleases how often soever repeated—I mean the power of effecting mischief, with which you arm the Catholics by giving them seats in the legislature. It seems that a few peers of that persuasion being introduced into the other House, and a few commoners into this, all our securities, not only of oaths and tests, but of numbers—of the large body of Protestants, among whom that handful will be lost—all the safeguards furnished by positive laws, and the still stronger checks provided in our own prejudices, or conscientious and well-founded opinions; in the zeal, for instance, of the learned judge and his co-adjutors, will speedily be at an end, and the parliament, without delay, be converted to the Catholic faith; or, at any rate, to seek the overthrow of the Protestant Church! I should be ashamed, Sir, to dwell one moment upon such miserable nonsense as their heads must be filled with, who are sincerely influenced by this argument. I should be still less excusable in stopping to expose it, after the able and well-reasoned speech of a noble friend of mine (lord Binning) who handled it last night. But let me only ask, if such be really the inextinguishable hostility of the Catholic body—if their grand object be, indeed, the destruction of the establishment, and if votes in parliament are the means of attaining it, what security have we against them at this very hour, fenced about with tests, and oaths, and declarations, which exclude them from seats indeed in parliament, but leave them free to choose their representatives? Why, Sir, if their hatred of our Church is so violent that they can scarcely keep their hands off it, notwithstanding all they say and all they swear, if they never can meet to poll for members without meditating its downfall; if where-soever two or three Romanists are gathered together the Church is in jeopardy, what, I ask, prevents them from gratifying somewhat at least of this spleen, by electing (which the law allows,) a hundred members, calling themselves Protestants, indeed, but bound by the tenure on which they hold their seats, to represent faithfully the Romish feelings of their constituents, and work the overthrow of the establishment, the object which those constituents, it seems, have nearest at heart? I will tell you, Sir, why no such thing can now be: the Catholics cannot return the whole, or even a considerable number of the Irish members. They are a powerful,

wealthy, most numerous, and highly respectable body; but the property possessed by the Protestant interest, makes it impossible for them to elect above a certain part of the whole Irish representation. Would they be able to elect a greater portion of it, if they could send Catholics here instead of Protestants? The fancy is ridiculous.—But their wealth and influence may increase. True, it may; I trust it will. I am sure it must increase with the beneficial effects of the laws now in force, and which are toleration itself, compared with the sanguinary code they succeeded. But will that influence be made stationary by refusing the power of representation to the body which you have allowed the privilege of election? Will the Catholic influence increase one degree less rapidly by confining them in their choice to certain classes of the community? Nay, if you keep from them the just and natural right of being represented, where they have a sufficient preponderance to chuse at all, by members of their own sect, are they the less likely to return men, who may indeed be Protestants, but will infallibly be rigid sticklers for every Catholic point; rigid in proportion as their constituents are cramped in their exercise of the elective franchise; rigid, more rigid than even Catholic members would be, because they must supply by excessive zeal the defect in their title to be returned, and prove at every turn that their Protestant creed is no bar to their fully representing the Romish prejudices of their constituents.

What then is the sum and the result of the matter?—Precisely this—that if there is the smallest ground for apprehension, we gain no security whatever against the danger, be it what it may, by still withholding from the Catholics the only part of the elective franchise which they do not already enjoy; and if our fears are chimerical, there is of course an end of the argument. I can descry no way out of this dilemma. The learned judge, with all his practised subtilty, cannot escape from it. Either we may in perfect safety take the further step of concession, which is now recommended, or we have already gone many steps too far. We have done too much for the security of the Church, or we may, without the slightest danger to it, do something more. If our fears have any foundation, if the learned judge's alarms are not purely visionary and fantastic, then the Church is really at this

hour in danger. The laws of 1778, 1782, and 1793, those wise and humane laws as they have been called, I say those laws of strict justice and absolute necessity, the repeal of the code of persecution and blood, brought the Church into jeopardy, and they who affect to foresee an increase of danger from conceding the little that now remains to be given up, may exercise their ingenuity in explaining whence it is that the establishment has survived all the former concessions—the grand and substantial changes I allude to—not only without a total overthrow, but without even the slightest perceptible shock.

But after all, Sir, I would take leave to ask, are we in such speculations, taking the plain fact, or any thing like the fact, along with us? Really to hear the learned judge, and those who with less dexterous skill have enlarged upon the danger of Catholic votes in parliament, one is tempted to fancy that elections and worthy electors have changed their nature; and that religious views and feelings are the only motives which are known to bear any sway on the hustings. Is it really so, Sir? Is religion the only ground of voting; the sole principle of selection in these pious and primitive times? What has become of land, and money and family? Has the relation of landlord and tenant all of a sudden lost its influence? Do customers cease to be looked upon with favour by tradesmen? Has personal kindness no sway? Have long established family connections no longer any virtue? I speak not of any undue employment of authority; I allude to no illegal use of wealth; all such means I place out of view; but give me leave to ask, whether religion has now-a-days triumphed over every fair and legitimate source of influence, and placed itself paramount, nay sole, in the minds of all electors? Or, if not, will the law which allows Catholics to sit here, suddenly abolish every other principle of election, make men deaf to all but religious considerations, and banish from their minds every prepossession and feeling in the choice of a representative, except the question, what is his form of faith? No doubt, while your disqualifying statutes separate the Catholic from his fellow subjects, while by exclusion from the pale of the constitution, you draw a circle round one part of the Irish people, and ordain that those shall be kept distinct and insulated whom a common nature and allegiance and birth meant to consolidate with the rest of the

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mass, there may be some pretence for apprehending that the religious diversity which forms their distinguishing badge, will exert a more than ordinary, and a more than natural sway over their minds. Yet the fact shews, that no dangers have arisen from such propensities even under the present system of separation: and to apprehend any after that system shall have expired, and leaving to religious distinctions only their natural force, shall have restored to all other motives their due preponderance, would be a ridiculous, if it were not also a very melancholy delusion. I am confident it is to the full as absurd an alarm, as it would be for my hon. friend, the member for Yorkshire, (Mr. Wilberforce,) who is one of the most distinguished ornaments of the episcopalian establishment, to be apprehensive of losing the support of those numerous and respectable sectarian voters, to whom his private worth as well as his public life, have rendered him dear; and by whose united, though various voice, he, a zealous member of the Anglican Church, has so often been placed in the enviable station of representing that vast county.

The fears of the learned judge, he has likewise said, are all directed towards the Catholics. From no other sect, either within or without the bosom of the Church does he see any cause of alarm: all but Romanists may be safely trusted. Is it, I demand, Sir, from experience that such distinctions are deduced? Has the Church History, have the most noted pages of the History of the State in England, taught the learned judge this lesson? Is hostility to the Establishment confined to the Catholics? Are they alone, of all sects, to be charged with the design of overturning it, because they are the only sect who bind themselves by multiplied solemnities to compass nothing against it? But have they in fact ever put it in jeopardy? Have they ever shook its foundations? Have they ever torn it in pieces with internal schisms? Have they ever, I ask, overthrown it, and with it overwhelmed the state itself? Yet history tells us that these things have been done by other sects. And I fancy it would not be speaking very wide of the fact to say that in such doings, almost every other leading religious sect had a hand except the Catholics alone. Nay, it is thought by some, that in the present day there be perils more near the bosom of the Establishment than any which can be even pretended to menace

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her from the Romish faith. I have heard of Methodists, and of parties springing up within the pale of the Church, whose proceedings excited her livelier fears for her safety than any which the great necessities of the present argument have conjured up. To all those quarters the learned judge shuts his eyes. Do I then feel apprehensions from them? Am I telling you the Church is in danger from the Protestant sects either without her circle or in it? No such thing. I can see no risk to her while the laws protect and endow her; and while those laws are observed, I can feel no alarm from Dissenters, or Methodists, or any other class of the religious world. From universal toleration, and even liberal kindness to all sects, I can conceive no possible danger to ensue. But from an opposite line of conduct, from singling out one sect and running it down, from confining your intolerance to a single sect, and that a far more numerous and more powerful one than all the rest together, or from capriciously granting it certain immunities, and unreasonably withholding others, I confess I can see probable dangers; and from no one mode of treatment do I conceive such dangers more likely to result than from the strange perversion of fact, and that utter blindness to all history, and of every day's experience, which leads some men to cry out when they have no other ground whereupon to justify their conduct towards that one sect—that the Church is safe on all its other quarters, and only in danger from them.

I must yet advert to another topic urged by the learned judge, because it struck me as novel, at least from the extent to which it was pressed, and the openness with which its principles were avowed. He talked of a kind of right possessed by the members of the Protestant communion over the legislature—that a sort of implied condition (if I rightly understood him,) under which they became attached to that communion, should not be broken.—This condition it seems, is that a man worships God in a certain way, under the assurance that this mode of faith shall secure to him certain privileges and (for without this addition the argument has no sort of application,) that those privileges shall not be extended to others of a different persuasion. Here is a sweeping principle with a vengeance! Here is a new light indeed, let in upon us to shew the true foundations of religious belief! Why, is it to be maintained that

men attach themselves to the Protestant faith from motives like these? Is it, at any rate, to be said openly, and in plain terms, that as we worship according to the liturgy of the English church, and give our answers to the catechism of the Westminster assembly, for the purpose of gaining the immunities of the Protestant communion; and for the purpose of enjoying something from which others are debarred, therefore the government breaks faith with us, if, after we have entered upon those offices of religion, with such pure and spiritual views, it extends the same immunities to others, and leaves us without our distinctive badges of political preference and favour? Really, Sir, I had always, in the simpleness of my heart, fancied, that when I worshipped God, as a member of the English Church, I did so with a view to the safety of my soul, and from a conscientious conviction that its doctrines were true, and that all other were erroneous. I had vainly, as it now appears, imagined that my only motive for preferring this form of faith, was my belief that it was the scriptural one; a belief wholly involuntary on my part, and which I entertained because my reason led me to it; not because certain political, secular advantages were annexed to it, or rather to the outward profession of it; and as for supposing that any condition could be broken with me, by the government doing any one act of any kind whatsoever, such a thought never could have entered my mind, because I chose that form of worship without any reference to temporal matters at all. The learned judge has indeed cast a new light on this subject. According to him, men believe and worship, as they strike a bargain, voluntarily on certain conditions precedent for valuable considerations, or rather for considerations of no value at all, unless the gratification of a splenetic and exclusive spirit be an object of worth in Christian eyes. The plain English of all this, however, is abundantly obvious. It is the doctrine of proselytism by wholesale. It is a new view of the code of penalty and persecution. It is an avowal far more open and undisguised than has heretofore been made, and which we shall do well hereafter to keep in mind, that the main use of the restrictive laws is to induce, or compel men to leave their own faith, but not from persuasion of its errors, and betake themselves to ours, but not from conversion to its truths. This, the genuine language of proselytism, the lan-

guage of that bigotry which we hear in the very same speech too, ascribed to the Catholics as the peculiar characteristic of their sect, was never yet, I venture to pronounce, uttered more plainly by any Romanist, mitred or cowed, who ever promulgated his anathemas from a council, or muttered the incantations of his superstition in a cloister.

From this part of his argument the learned judge then passed to the most trite of all the topics ever urged against us—a topic so worn out by repetition, that not even his ingenuity and eloquence could lend it any new grace. I allude, Sir, to the notable distinction which is always taken between toleration and power, and founded upon a false and hollow pretence that the Catholics are claiming not merely freedom from persecution, but a share of privileges, and the gratification of ambition. In the same spirit the right hon. gentleman, (Mr. Yorke,) who followed him, asserted roundly that this is a question only interesting to a few Catholic peers and wealthy commoners, but one in which the body of the Irish people have no sort of concern. Sir, I maintain fearlessly the opposite opinion. I appeal to my honourable friends around me, who from local connexions, from intimate acquaintance with Ireland, must needs be best informed of the state of her people; and I call upon them to say whether any thing can be conceived more unfounded than the assertion, that the great bulk of the Irish people are not affected by the penal laws, and feel no desire to get rid of those degrading restraints under which they now labour. But it seems all this is mere ambition. Good God! is it ambition that prompts a poor peasant or retail trader to wish for the power of carrying his goods to market toll free, or at least paying the same toll with his Protestant neighbours? Is it ambition to desire, when tried for his life, the chance of equal justice, which arises from having a jury partly composed of his own religion? Is the demand of the common benefits of the constitution, the trial by jury so justly dear to Englishmen, stigmatized in the Irish Catholics as an overweening lust of power? I will go no farther than this point. I might enumerate many of the rights now denied to Catholics, and ask if it be seeking dominion to desire the restoration of them; but I will stop here, because when I take my stand on trial by jury, I know I occupy an immovable

ground. What then is it the Catholics now enjoy of this sacred English right? I will grant that in ordinary cases the Protestant sheriff, (for Protestant he must be,) may return a panel composed fairly enough of Catholics and Protestants. I may admit that in cases where it signifies nothing how the jury is composed, it will be fairly selected, that where there is no reason to fear partiality or injustice, no attempt will be made to pick the panel and exclude the Catholics. But I demand to see one instance in which there was a difficult or delicate question between parties of opposite sects, involving or hanging upon religious diversities, or political feelings connected with matters of faith, and the jury was fairly chosen from the two sects. I go further. I demand the instance of this description, in which the sheriff has put Catholics on the panel. Why, I ask, do gentlemen prize the trial by jury above all the other blessings of their free constitution? Not safely, because in the ordinary questions of property, twelve uninformed men are fitter to decide than a bench of learned judges. No, Sir, nor yet because in such common cases the twelve men are capable of deciding so well as the judges. But still the method of trial is inestimable, for a most sufficient reason, because every now and then a question occurs, where some bias may exist in the judge's mind; where his feelings may be swayed by the influence of the crown which appointed him; where his connection with the people is too slender to inspire him with the proper feelings; where the habits of his profession, or the prejudices of his rank may interfere with the full discharge of his high functions. Then it is—in the rare and not in the ordinary case,—that the interposition of a jury is thought, and rightly thought, to correct the supposed partialities of the judge, or to supply the proper feelings; and whether by checking or by prompting, to restore to the scales of even handed justice, their due force. Now in all such cases, that is to say, in the very cases for which the benefits of jury trial are calculated; in the only cases, in which, according to some, jury trial is a real good; in the only cases in which, by the admission of most reasoners, this mode of administering justice is wholly unexceptionable; in the only cases, in which, by the confession of all, it is productive of the greatest benefits; the Catholic enjoys it not; he is tried only by aliens to his faith; by enemies of his order;

by members of the body whom this very distinction, and others of the same odious and stigmatising nature have rendered separate from, and hostile to his class; he enjoys not the privilege granted by our justice to every foreigner who transgresses our laws, that of being judged by persons tolerably impartial to his race.

But is it mere ambition—mere love of power, which makes Catholics wish to have the doors of trading corporations flung open to them? Is it even a culpable desire of power to covet relief from the stigma which at present points them out as the only persons in the state unfit to be intrusted with places of confidence and honour? And here let me say one word of the elective franchise as now enjoyed by them. They have obtained, we are told, quite enough in possessing the right to elect; it signifies little to shew whether their representatives be Protestant or Catholic. What, Sir! is it of no importance to the right of election, that the choice is hampered? Has freedom of chusing nothing to do with the option of selecting whom you please? Is it quite the same thing to be told I may pitch upon any body I think proper without exception; and to be told I must confine myself to one class which another points out to me? And what is the limitation in question? What is the exception? Who are they from amongst whom I may not chuse my representative? Why, exactly those of my own order; those who profess the same religion with myself! And upon what is this restriction founded? What is the reason given for not allowing me to look among them for my representative? Precisely because they are of the same class and religion! Good God! is this nothing? Is this no stigma? Is there nothing hateful and humbling in this? Sir, it is this stigma, this useless, this needless, this odious stigma, which, while it imprints a mark of suspicion upon the Catholics, affords no security to the Protestants; but like all the other inventions of the persecuting code, irritates every generous feeling, rouses each evil passion, insulates the degraded sect, and points its animosities against the favoured order, whom it opposes at once to be hated and overthrown.

The learned judge has many fears, it seems, from the spiritual ascendancy of the Roman priesthood, including the head of that hierarchy; and he has worked himself up to a persuasion, that were the penalties

repealed, we should see that over-bearing influence of the Papacy revived, which distinguished and disgraced former ages. But to make good his assertions, he must not only shew the existence of grounds of apprehension from that quarter; he must execute a still more difficult task; he must prove that the continuance of the penalties removes those grounds; he must prove that the persecution which degrades and separates the Catholics, which throws them into the arms of their priests by opposing and irritating them; secures the establishment from the power of those priests working through those flocks. I need not refer to the securities offered by the tests which you have imposed; the oaths which all the Catholics willingly, cheerfully take; and the declaration which they heartily subscribe, that "there is no article of their faith which binds them to believe that the Pope possesses any temporal power, superiority, or ascendancy, directly or indirectly, that can, in any way, affect their allegiance to the state." But what further security does the learned judge offer us? He is for perpetuating a system of tests and disqualifications, which exasperates as much as it oppresses, but does not at all weaken or disarm, and which must dispose all who have taken these oaths to break them. An intimate union, he says, will still subsist between the Pope and the priesthood, and between the priests and the Irish peasantry. Is there less of this union, this chain of influence and spiritual ascendancy at the present moment? The learned judge constantly forgets that in order to scare us from emancipating the Catholics, by such stories of danger from their hierarchy, he must both shew us the ground for such fears, and prove that by leaving matters as they now stand, the danger, whatever it may be, will vanish.

The learned judge, after enlarging so amply on the merits of the question, was pleased to express his no small indignation at the constant renewal of the discussion in this House; and he called upon us on this side to give peace to the empire, by suffering the subject to lie at rest for an indefinite period of time. This is his recipe for conciliation, by which he seriously hopes, it seems, to lull all sects into tranquillity. I fear, however, Sir, that there is another party to be consulted before this notable compromise can be effected. What would he think, for instance, of first having the consent of the

Catholics themselves, the petitioners now before the House, and whose application to us brings forward the present discussion? Does he not suppose that their assent is to the full as essential as that of any set of men in this House? Why, Sir, no party, not parliament itself can set this great question at rest in any way but one, and that is granting the object so justly and rightfully, yet so respectfully demanded. We may remain silent, but will the Catholics be satisfied with our neglect, and keep quiet in imitation of us? You may send them from your bar not merely unredressed, but unheard;—you may fling their Petitions over your table;—you may reject every proposition that is made by their friends, as well as every prayer urged by themselves. But how are you sure that they will be quiet after all? If they find his Majesty's ministers year after year putting them off, under every change of government, under all changes even of the dynasty occupying the throne, conspiring against their claims: if, from day to day they hear you tell them "be quiet, for we cannot entertain the question now;"—if they see plainly that this "now" is to last indefinitely, and that in truth it means "we cannot hear you ever;" nay, when the learned judge, and the Chancellor of the Exchequer, unite in giving it this very interpretation, can you imagine they will be satisfied merely because you wish it, or will cease to seek relief because you refuse it to them repeatedly? Sir, if you seek for quiet on this question, you must pursue it by a far different track;—you must open your ears to their just complaints;—you must look into the cause of the evils complained of in all the preceding Petitions of the Catholics, and in the repeated discussions of their claims. That cause stares you in the face, and you have no pretence left for not seeing it;—that cause is the disgusting cause which has so long split Ireland into unnatural divisions, setting man against man, and forcing one fourth part of her people to be the oppressors of the other three-fourths, whom it places in a state of degradation. Hence it is that you have year after year Petitions poured in upon you;—hence it is that they now crowd your tables—and yet we are to be told that this is the time, in the last crisis of the country's fate, for refusing even to hear their prayers, and ask ourselves if we can grant them. Instead of shuddering at the prospect before us, should we persist in turning a deaf ear to

such righteous complaints, we are bid to call our Catholic fellow-subjects unreasonable, presumptuous, ambitious, for preferring them in the language of respectful Petition;—for making this last effort to be admitted within the pale of the constitution.

But how, Sir, were these men treated when the Union was in negotiation, and their concurrence was asked in a measure allowed by all to have been impracticable without their co-operation? They were told by the noble lord (Castlereagh) then the organ of the administration in Ireland, that unless the Union were carried it was vain to expect their claims could be granted, but that as soon as their consent should be gained, and the measure had been carried which their resistance had utterly frustrated the year before, the force of the government would be exerted in their behalf, and they might expect all those boons, (as they were termed,) but I will give them their true name, and call them rights, would be conceded. Nor was this all. To recommend the measure still further, and more firmly to bind the pledge, a learned person published an address to the Catholics, exhorting them to support the Union, and holding out the same gladdening promises. This learned character appears from his tone and manner to have been connected with the Castle, and the noble lord (Castlereagh) then its organ. He was probably some literary and legal gentleman, under his immediate patronage, and employed by him for the promotion of his favourite scheme. In the prosecution of this design, he published a pamphlet, which I now hold in my hand. His name is affixed to it; and, by rather a whimsical coincidence, it agrees precisely with that of the learned and right honourable doctor opposite, for it is signed "Patrick Duigenan, LL. D." I cannot, indeed, for a moment suppose the learned civilian to have been the actual author after all the doctrines diametrically opposite which I have so often and so steadily heard him deliver in this House, in truth no farther back than last night. But to return to his ingenious namesake, the *élève* of the noble lord and the Castle, he thus addresses the Irish Catholics—"Were you one people, the preponderance of Protestant interest would be so great in the United Empire, that the distinctions between Protestant and Catholic might safely be removed, all rivalry would cease, and it would be no

longer necessary to disable the Romanists by any laws whatever." Thus far the other doctor Duigenan, the doctor of 1800, with whom I have the happiness and honour of an entire concurrence in opinion, in proportion as I widely differ from the other luminary of that name, the right honourable civilian of 1812. Well, Sir, on the faith of such hopes, so held out, the Romanists did concur, and the Union was carried. As if these promises were insufficient, other pledges were given by lord Cornwallis, a man never to be named either upon matters of Irish interests, or in relation to our vast dominions in the East, without the deepest respect—a name dear to every Irishman as synonymous with conciliation and justice. He told the Catholics that the ground on which Mr. Pitt and his colleagues had retired from power, was their inability to carry forward the question as a government measure; and that feeling themselves unable to redeem their pledges, they had not only relinquished office, but were resolved never to resume it, without obtaining this power of redemption. Mr. Pitt did return to office without that power. Now began that series of Petitions which year after year have been presented to parliament, in a number and variety rapidly increasing, and in each succeeding year, I feel joy and glory in thinking, with augmented and augmenting success.

Sir, various obstacles, real or pretended, have stood in the way of their complete triumph, both in the councils of the sovereign, and in the great council of the nation. Among others, the religious scruples of the monarch were held out ostentatiously, as an insurmountable barrier, and they were met by a corresponding delicacy on the part of this House. But though I for one have thought that a more unconstitutional view could not be taken of any subject, though I would at any time sooner have cut off my right hand, than be a party to the surrender of the free exercise of our duties, as a branch of the legislature, to a waiver of our own opinions upon a great national question because another branch, because in plain English the King held certain feelings upon it; though I should be found the very last to relinquish my own opinion, and betray my trust, for such vile considerations as this, yet I did feel prone under existing circumstances to make some little allowance for the feelings of tenderness with which some men seemed disposed to treat

real and conscientious scruples of the sovereign. But of these let us hear no more; their time is past and gone. Whatever it may be, this is not the æra of religious niceties and tender consciences: all those things have vanished; or if they exist, they are confined to the sick imagination of the monarch, and afford no longer any pretence for the mockery of reason, the affected delicacy of feeling which some men have found convenient for other purposes, to interfere between Ireland and her rights; and to use as a covering for their own apostacy from their earlier principles. No man is now to be found gifted with the prodigious impudence required to set up again, under the present rule, the same empty shadow which so long misled us. While there was any ground for it, what language used the Irish to hear from the highest quarter? I speak in the presence of those who listened to the comforting story, and can at once stop me if I mis-state it. What were those words? "Repress your just and natural eagerness: wait, only wait for a little while, and your utmost wishes shall be gratified. The relation of father and son at present, and under existing circumstances, makes it impossible for me to move; but I am your firm friend, and when those obstacles shall be removed, on me you may surely reckon." Now, then, these obstacles are all removed. Every scruple, every feeling, inconsistent with the manifestation of this firm friendship, is fled and the Irish Catholic turns his eyes towards that high quarter where so many hopes had been taught to center; where kindnesses, I can scarcely say mutual kindnesses, but where the remembrances of favours bestowed taught him to look for princely gratitude. Once more to his confusion he hears of obstacles, and feelings, and scruples. Once more he is told of those eternally existing circumstances, and he finds that exist they will until they shall have brought the existence of the empire to a close! Where then shall the Irish now look? After a series of delays, and pretences, and impostures, after suffering from every change only new indignities and less bearable disappointments, after a long succession of oppression, ending in still more intolerable slights and insults, promises broken, pledges forfeited, assurances denied, friendships and favours forgotten, enemies and indignities forgiven—after the real "early friends," the fast friends of 1789, the warm and steady

hearts of Ireland have been thrown off, such friendships as these slighted, such affections contemned, the people of that injured country come—they can only come—to you, and implore of you to remember the obligations which have been forgotten elsewhere. I say, let them come before you. I say, in God's name hear them, suffer them to petition; nay, rejoice that they will do petition, encourage them in persevering; shew them that you know your duty, though some persons seem actually mad enough to wish they should forget theirs; prove to them that you know their value, in loyalty as well as in power, and that without being afraid of their numbers, you recollect they are four millions of people. Sir, I am not using the language of threat or intimidation. I bid you fear, not the numbers of the petitioners, but the justice of their cause. I would have you to dread doing injustice, and not the less to dread it, because the victims of it will be a third part of your whole population. I would have you to pause before you lop off such a branch of your empire, before you palsy the right arm of your power; and on this I will say not a word more, than that the strength of the Catholics well deserves to be considered with respect, by those who would treat their rights with contempt.

The learned judge concluded his speech with expressing a hope, in which I do most cordially agree, that the gentlemen on this side of the House may not use this great question as the badge of party, or make it the stepping stone to power. But I must take leave to say, that the sly insinuation which he couched under that hope, with the accustomed dexterity of his eloquence, was to say the least of it superfluous. My honourable friends near me, and my noble friends in another House, cannot surely be accused of having so sported with the interests of their country by so dealing with the Catholic claims. Sir, it is their sincere attachment to this question—it is their refusal to abandon it—it is their positive and repeated rejection of all the offers that could be made to seduce them with office away from their principles on this question; it is their determination not to make the Catholic cause a party badge or a ladder to power; it is nothing in the world but this that has kept them out of office, and still excludes them from the possession of it. These principles they have held fast through good and bad fortune, and shewn

to an approving country, that with feelings of which I verily believe there are some men now in sight who cannot form any conception, they could relinquish the actual enjoyment of power, and forfeit all chance of regaining it, rather than betray as others had done before them, and as some were still doing before their eyes, the great cause of Ireland and of the empire.

Sir, filled with the same feelings on this momentous subject, I deemed it my duty to offer myself to your notice in support of the vote I am prepared to give. And after the speech of the learned judge, I should not have merited the approval of my own conscience, if I had given that vote in silence.

Mr. J. Leslie Foster.*—Sir; Many of the gentlemen who have spoken in this debate, particularly the right hon. gentleman who introduced the question, and the hon. baronet who has entered so much at large into the vindication of the tenets of the Roman Catholics, appear to me to take for granted that there is in the Roman Catholic religion some general abstract unvarying character, the same in all times and in all places, and that it is quite sufficient for our purpose to investigate that character, in order to determine whether it is, or is not inconsistent with the exercise of the civil powers of our constitution.

This mode of proceeding appears to me fallacious in its principle, and dangerous in its consequence. The eternal sameness of the Roman Catholic religion, whether urged as the boast of its friends, or as the taunt of its opponents, is alike destitute of foundation;—on the contrary, all history and experience demonstrate that it is susceptible of infinite variety; that it means not the same thing in almost any two countries at the same time, nor in the same country at different periods of its history; and, in short, that it is as much as man himself the mere creature of times and circumstances, laws and institutions.—I speak not of its theoretical tenets, which a decent pride of consistency may naturally preserve from alteration, but of its practical influence on the moral and political conduct of its professors, which I should think may be sufficient for our present purpose.—To this point at least I shall confine my view, and leave their

* From the Original Edition, printed for J. Hatchard, Piccadilly.

dogmas and their councils to an undisturbed and harmless repose.

Considering Catholicism under this limitation, I would ask what it practically means at this moment in different parts of Europe?—The experience of the hon. baronet in its parent country has no doubt convinced him of the melancholy truth, that there it amounts, among the upper ranks to a widely-extended Deism, among the lower to a great debasement of human intellect, and to a very relaxed morality in both. In Catholic France, we find amongst the upper ranks a deism more universal even than in Italy; but amongst the middle as well as the lower classes, a liberal and enlightened piety, accompanied by the most perfect spirit of toleration. In Switzerland, (perhaps I should here confine myself to the Pays de Vaud,) it exhibits in a superior degree all the excellencies which it can boast in France, without its blemishes; and, to instance in a minor particular the perfect spirit of moderation by which it is there distinguished, it is a fact, (however incredible it might sound in Ireland), that at Lausanne, a church which in the morning is the scene of devotion for the Protestants, serves at noon, without purification, for the worship of the mass. But between the Catholics of Lausanne and the monks of La Trappe, or the more practical disciples of St. Dominic, there is a mighty interval: within whose extensive limits there is, however, not a spot that may not appropriately be filled by the Catholicism of some country in some period.—It seems to me then quite vain to talk of Catholicism in the abstract.—I must look to facts,—and especially to its real practical influence in the country now under our consideration.

The Catholicism of Ireland, Sir, appears to me widely different from any thing I have alluded to;—and for it I can no more find a parallel amongst the varieties of other countries, than amongst their histories I can find a parallel for the history of Ireland.

I am well aware of the tender ground on which I am about to tread; but I hold it my bounden duty to have no reserve upon this subject: and I shall feel the less anxiety in speaking of Ireland as it is, because whatever there is in the system that I should wish to see corrected, corrected I believe it yet may be; and because I attribute it not to any eternal essence of the Roman Catholic religion, nor

to the fault of the people; (God forbid!) nor to this council or to that, but to the fatal events of Irish history—bloody wars, alternate confiscations, penal codes, and periodical rebellions: and partly to the errors of queen Elizabeth, and partly to the policy of her great rival Philip; who agreed at least in this, that they alike formed the people of Ireland to the hatred of the English Reformation. Elizabeth associated the English sword* with the English Bible, and taught Ireland to detest them both; but Philip produced a more lasting impression, and it was a measure of his which by its consequences stamped upon the Catholicism of Ireland, a character peculiar to itself.

It was under his auspices, and under the immediate protection of his lieutenant the duke of Alva, that William Allen, an Oxford man, founded the college of Douay: thither resorted in the first instance the banished Jesuits of England; and every one acquainted with the history of those times, will recollect that this place became the focus of the plots against the life and government of the queen of England. It happened that the successor of the duke of Alva, influenced by motives of which all governments, Protestant and Catholic, are fertile in examples, determined to overturn all the measures of his predecessor, and in his zeal to carry this determination into effect, he forgot to spare even this college. The English fugitives became dispersed over every part of Europe, they were kindly received by the Catholic powers, then at enmity with Elizabeth; and it was these men, under these auspices, who founded most of the

* See the "*Pacata Hibernia*," *passim*—the Diary of the Lord President during the latter years of Elizabeth. This work exhibits the most faithful delineation of the manners of Ireland and the policy of England at that day; and in these are clearly to be traced the true causes of the subsequent rebellion in 1641, and of many other events in Irish history—the transactions which it records, must be read in order to be conceived. But, whether the fury of the priests against the Lord President, or that of the Lord President against the priests was greatest, is left to the reader to determine. Religion was the point in issue, the work of confiscation had scarcely commenced.

This Work has lately been re-published in Dublin.

seminaries and colleges to which Ireland has since been indebted for the education of her Roman Catholic clergy. The genuine spirit of the parent college of Douay, was long the distinguishing characteristic of these seminaries, not merely the enthusiasm of Jesuits for the propagation of their faith, but a bitter recollection of the causes which had driven their founders from their native land, a peculiar, traditional and mortal hostility to the tyrannical and heretical establishment of the Church of England. But even their peculiar hatred to England, fell short of their still more peculiar devotion to the Pope, their great patron and protector; their attachment to whom was left unchecked by any of those safeguards and precautions which the Roman Catholic powers have found necessary to multiply in the seminaries for the education of their own clergy; a jealousy which they all have felt, and to the nature of which I shall presently have occasion more particularly to refer, and which has long since reduced the reality of the Pope's practical authority within very narrow limits; a jealousy which has perhaps the most distinguished the states in which at first sight we should the least expect to find it, I mean the states the nearest to the seat of Papal power; so that, even before the Italian conquests of Buonaparté, if called on to say in what part of Europe the Pope had the least of political authority, we might have answered, amongst his Italian neighbours, while, if called on to point out the spot in which he had the most, we must reply, in Ireland, the extreme western limb of his spiritual empire.

It was to these seminaries, founded thus equally in hatred of England and devotion to Rome, that Ireland was till lately indebted for the education of her priests. It was in their bosoms they were to learn to become the faithful subjects of the king of England, to imbibe hereditary respect for the British constitution, and hereditary charity for a British Protestant; and after having been thus indebted to the bounty of foreigners and enemies for this salutary education, after having passed in a foreign land the season of life peculiarly formed for the reception of impressions, full of foreign ideas, prejudices, and attachments, and after having had their eyes accustomed to all the pride, and pomp, and glorious circumstance with which their religion is performed on the continent, they were to set out on what they

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emphatically termed their Irish Mission, that is, to see their religion in its native land, not merely shorn of its honours, but, I will say, in times past the peculiar object of "the oppressor's wrong and proud man's contumely," and (if they could escape transportation for the crime of landing) to teach their flocks, groaning under penal laws, the virtue of resignation.

Sir; if that was indeed the lesson which they did teach, they must previously have subdued in their own breasts every passion, interest, prejudice, and feeling of human nature;—if that was indeed the lesson which they taught, be theirs the merit of it—for Philip and the parliaments of Ireland had alike provided for the contrary. If Philip could have looked into futurity, what more could his fondest hopes have anticipated?—Except that the priest should find in the peasant an ignorant and a devoted pupil? And here again the penal code, the faithful second of his desires, provided most singularly for their accomplishment; for, while it secured the ignorance of the peasant, it secured no less the authority of the priest, presenting him as the sole instructor of a people anxious to learn, arraying him with every character of courage and disinterestedness, (which, indeed, it secured as the first requisites of his mission,) and exhibiting him thus qualified to a people peculiarly disposed to value those recommendations.

And the consequences of this whole system have been such as might be expected—extraordinary devotion of the clergy to the Pope—extraordinary devotion of the people to the clergy:—to such an extent, indeed, that, I have no hesitation in saying, that in no country have any clergy ever had such unbounded power of disposing of the hearts and wills of their flocks, as have had, and still have, the Roman Catholic priests of Ireland.

But such a system as I have described could not go on for ever. The parliament of Ireland determined on a change:—but to heal such wounds as those of Ireland, was a work of difficulty and delicacy, and we may therefore perhaps excuse them for their unqualified and total failure. Untaught by experience, they overlooked the true causes of the evils which they lamented. They knew the upper ranks of the Catholics to be liberal and loyal, but they knew the great mass of the population, buried in ignorance and misery, to entertain no very great predilections.

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for the Saxon religion, or the Saxon name, nor even much of any very filial affection for that personage whom they acknowledged as the king of the Saxons. Yet this parliament proposed no bond between that king and that clergy, who could alone dispose of the attachments of that people: instead of gaining the preceptor or modifying his lessons, they simply conferred great favours upon the pupil; and, what adds to the fatality of the omission is, that the very measures which they then adopted were destined at a future time to raise that hitherto neglected priesthood to a degree of real political power, which was then little if at all suspected.

In short, the elective franchise was the panacea of the day—the universal remedy for every mischief; and it was accordingly conferred upon the Catholic people. Little was it then foreseen to what an extent this was at a future day to subvert the maxim of the British constitution, of proportioning property and power—little was it foreseen how nearly resembling to universal suffrage was the something which it was to introduce, or by whom that something was to be directed. It was said then, as it is said now, “are not the landlords Protestants, and will not the tenants vote with their landlords?” Sir, I say they have not done so, and in the hour of real trial they will not do so:—I have myself seen the priest at an election assure the freeholder, that the contest was between God and his landlord, (I repeat his words) and I have seen the freeholder obedient to the heavenly oracle,—I have seen the priests lead a tenantry almost to a man against their landlords. And this is the system which, in the fashionable language of the patriots of that day, was an extension to Ireland of the benefits of the British constitution:—this trampling of property under the feet of democracy, and sacrifice of both upon the altars of an unestablished religion!

Sir; when the relaxation of the penal code was first thought of, then was the happy time to have placed matters on another footing. Every step taken then, has but enhanced the difficulty now. Had the parliament of Ireland at that time contemplated the question in all its bearings,—had they said to the Catholics at large, “we are anxious to admit you within the pale of the constitution—but there are some practical points which we must first discuss with you,—there is something for you to modify for us, as well as something

for us to concede to you;—the policy of our ancestors has fatally estranged your clergy from the state, yet placed, without intending it, great influence in their hands;—we propose to connect this body with the government, at least enough to disunite them from a foreign power:—we do not like to see them depend for subsistence upon the feelings of their flocks,—we are ready, nay, we insist on paying them stipends for their maintenance:—we object to their foreign education, but we propose not merely to educate them at home, but to secure by proper regulations that what is taught shall not afford occasion for any reasonable jealousy to us:—we cannot permit them to continue to exercise a consistorial jurisdiction unacknowledged by our laws, and opposed to their regulations, determining on marriage, and of course on legitimacy, succession, and property:—they must also co-operate with us in dispensing a reasonable system of education to the lower orders of the people:”—Sir, if this offer had been made, I feel confident it would have been then accepted. I do not believe their clergy would then have been disposed to hesitate; or, if they had, I believe the universal feeling of their laity would have brought them to compliance; at that time when, in the words of their first Petition, they were “with hearts full of loyalty, but overwhelmed with affliction and depressed by their calamitous and ruined circumstances.”

But the Irish parliament had no such views. They proposed that this clergy should take oaths and not stipends. They left their hearts and affections, and habits and interests, exactly where they found them, and threw the doors of the constitution open wide, just enough to admit all those from whom they had any thing to fear, but to exclude those from whom they had little to apprehend,—and, conferring real power without even nominal satisfaction, they gave, as the worthy finale of their proceeding, the power which they conferred into the hands of the Church which they neglected: allotting exclusion for the aristocracy, and power for the mob, and oaths for the priests, and content for none.

And I fear the cardinal error of their preceding was, that they rendered difficult, perhaps unattainable, the only measures by which their errors could be corrected. For who is there that supposes any such arrangements could be effected

now? Now, after thirty years of the increasing property and increasing power of the Catholics, perhaps of their increasing prejudices against us, certainly after thirty years of their political exacerbation. But, to draw an inference on this subject, we need not dwell on general principles. Look to their conduct on the Veto, a matter which for nine years they were ready to grant, an arrangement which their bishops under their hands consented to abide by, and which they refuse to concede at present: Why? Unless because they are determined to concede nothing?

I shall here dismiss the measures of the Irish parliament, so far as related to the concession of political power. An important branch of their policy remains for consideration: their remedy for the evils of the clergy's foreign education. On this head, for thirteen years, after admitting the Catholics to all the rights of property, they did absolutely nothing. At last, in 1795, they undertook the task. But it was the misfortune of that time, that the parliament was substantially disinclined to all the details of Catholic business. They were indeed heartily sick of it, not without cause; and this part of the subject might have continued to be neglected, if it had not been forced upon their attention: until, urged by clamour from without, and influence from within, they at length did that to which, perhaps, in their souls they were averse, and founded the college of Maynooth.

But this idea, so happily conceived, was fatally marred in its execution. It really appears as if the parliament had too lately repealed the law which prohibited the very existence of the Catholic clergy, (and which had offered rewards, with considerable apportionment, 20*l.* for every priest, but 50*l.* for the discovery of a bishop,) to endure the task of that detailed regulation, and communication with that clergy, which then became necessary, in order to ensure the full benefits of the institution, and which the novelty of its establishment was so peculiarly favourable for introducing. They gave money indeed, as was then thought, in abundance; but it was with much of the policy, and perhaps with a little of the temper of the Egyptians to the Israelites, who, when smarting under the calamities which they were enduring for having oppressed them, suddenly changed their plan—gave them silver and raiment, and said, "Now get ye up, and

go and serve your Gods, else we be all dead men."

The first Act indeed of 1795 provided that certain of the judges and law officers, should, in conjunction with several respectable Roman Catholics, be both trustees and visitors of the college; but even this was afterwards abandoned, and at the time of the Union, when it became the object of the government to conciliate the Catholics, a new act of parliament was passed, intitled, rather whimsically, "An Act for the better government of the College of Maynooth;" which better government seems to have consisted in this, that the judges and law officers were omitted as trustees altogether, and even their visitatorial power restrained from interfering in any matter of discipline or doctrine; that is, as appears to me, in the principal matters for which their visitation was likely to be required. Sorry I am that the government should have wished to conciliate in such a manner, and still more sorry that the Catholics should have considered this abdication as a matter to solicit.

It may be said, that the interference of a Protestant government in a Catholic college, must be a matter of great difficulty; but I must think, that this difficulty exists only in the abstract, and would have disappeared if carried into execution in the manner I shall presently allude to.

The college of Maynooth has now subsisted for seventeen years, and I have never met with any person who could inform me of the course of studies actually pursued. Is this a matter of no consequence? Did there ever exist even a Catholic government who thought this a matter not necessary to superintend? A Return, indeed, was made a few years ago, to an Order of this House, of the books which form the basis of these studies: amongst which, I will candidly acknowledge, I was a little surprized to see the name of Locke. The Return, however, goes on to state, that after all, these books are not what is there read, but that the lectures are delivered from manuscript courses, and a reason is assigned in "the paucity of books."

Now I must observe, that in the old colleges of France, not merely in the Irish seminaries, but in those destined for the education of their own clergy, the mode of instruction was entirely from written courses, read by the lecturers, and taken down by the pupils; and as it is a fact that some of the principal professors at Maynooth were not only educated, but born in

France, it does seem that it is at least possible, that a natural adherence to the mode they were themselves accustomed to, may be the cause of their adhering to the same method in Ireland, as much as the scarcity of Mr. Locke's Works. But be the cause what it may, it is obvious that unless we have these written courses, we have nothing. I have already observed that most of the professors owe their education, and some their birth, to France. Surely they could have no objection to allow the system formerly adopted by the government of France for the purpose of securing the independence and immunities of the Gallican Church, to be the precedent for the intercourse between themselves and the government by which they are supported. The old government of France was as jealous as any Protestants, of the peculiar Roman doctrines relating to the authority of the Pope, and to some other matters; these doctrines were designated by the peculiar name of the Transalpine doctrines; and to keep them on the other side of the Alps, was the peculiar care of France;—or rather, I should say, to exclude them from the colleges destined for the instruction of their own clergy; for, to enter the seminaries appropriated for the education of the Irish, they were allowed to pass the Alps, I suspect, as freely as they pleased. To keep these doctrines from the French colleges, a peculiar officer was appointed, whose business it was to superintend the written courses to which I have referred, and who was responsible for the due execution of his censorship. In this free country, perhaps the mere publicity of the courses would answer every purpose. Why should we not have them on the table of the House, and print them for our information?

I have said there is a great ignorance in Ireland as to the actual studies of Maynooth,—I will add now, there is also a great curiosity upon the subject; and the circumstance of this desire being left ungratified, allows the enemies of the institution, amongst whom I really believe there are more Catholics than Protestants, to indulge their conjectures upon the subject. I beg to be distinctly understood as not pretending to cast any blame upon the actual nature of their literary pursuits; I acknowledge entire ignorance, in common I believe with every Protestant, on that subject. It is of this I complain. By some I have heard the studies represented, if not as very enlightened, at least as very

harmless: but others I have heard with equal confidence assert, that the course consists not of the logic of Mr. Locke, but of that logic which his writings overturned, curiously compounded with the theology of the Jesuits, and both administered under the discipline of Sparta; with the object that the pupils shall laboriously be taught to be ignorant, and that a safe and final asylum shall be provided in Maynooth for those doctrines, to which Buonaparté and the nineteenth century allow no other refuge in the world.

When the question of increased grants shall next come under the consideration of the House, this subject may perhaps be profitably considered. Surely, if parliament should confine its investigation to the mere quantity of priests necessary, without any reference to their quality, it will leave the best half of its duties unperformed.

On the whole, then, being greatly dissatisfied at the present footing on which the Roman Catholic Church stands in Ireland, and being fully aware of its prodigious influence, I can never advert to the prayer of the Petition, without thinking the whole policy of the question to be involved in this consideration. I would wish distinctly to be understood, as not adverting to their religious tenets, considered as matters between man and his Creator;—with them I have not the least concern: I look solely to their political situation; a situation the most anomalous that can be conceived;—possessed of great real power;—bound together into one solid mass by a most ingenious system of machinery;—actuated by one mind, and totally unconnected, indeed studiously dis severed from the state;—much strength already in their hands, great objects tempting in their view;—and holding in their hands the great mass of that body whom it is now proposed to introduce as an immediate acting power in the constitution.

I am far from thinking that, individually, the Catholics who might be returned to sit in this House, would look to their clergy for any rule of political conduct: but I think I am justified, by all that is passing before our eyes, in saying, that it would be the fate of those gentlemen to follow, and not to lead the impulse of the great mass of the Catholics of Ireland. And of that mass I do distinctly believe, that the moving power would be their Church, if that Church chose to act; and I cannot suppose that with such means and such

temptations, it would abstain from acting, without supposing the individuals who compose it to be divested of all the common feelings of human nature.

Sir;—I am also far from believing, indeed I have good reason for utterly disbelieving, that many of the respectable persons who now stand forward as the leaders or at least as the organs of the Catholic body, approve of the violent course of conduct which they lately have pursued: but they feel and they know, that the whole of their own power and influence depend upon their consenting to lead in the direction which their followers point out; and that if they dared to express their true feelings, from admired leaders, they would instantly become proscribed deserters, while the great mass would move forward as before.

It has been urged with confidence that the example of moderation which the Catholics have evinced under such a length of trials, is a sufficient earnest of the temperate use which they would make of any powers that may be conceded to them: but here, Sir, considering the Catholics as a political body, and allowing them every merit as individuals, I must dissent not merely from this conclusion, but even from the premises from which it is drawn. For, from the long period of moderation to which we are referred, I feel obliged by all views of sound reasoning to exclude from consideration, that time during which they had no power to exercise, that is, from the Revolution, till the relaxation of the penal laws. During all that time the political action of the Catholic was physically impossible. God forbid that I should be understood as saying any thing in the defence of that system. I trust I have already said enough to obtain credit from the House, for sincerely reprobating its whole policy. But the very reason for which I condemn it, namely, that the Catholics of necessity lay bound and prostrate under its operation, prevents me from inferring any thing from their quiescence as to what would have been their conduct, had the pressure been removed. I must therefore restrain my view to that portion of this time, during which any means of political action was in their hands; and, referring to that portion, what are indeed the facts which it presents? In the year 1792, the Catholic Committee of that day thought it necessary to publish resolutions, stating, that "the Committee had been informed, that

reports had been circulated, that the application of the Catholics for relief extended to total and unqualified emancipation." In those days, Sir, the Committee seem to have considered this even as an imputation incumbent on them to repel; for they go on to state, that they "therefore think it necessary to declare, that the whole of our late application" (I now use their own words), "whether to his Majesty's ministers, or to men in power, or to private members of the legislature, neither did nor does contain any thing more in substance, or in principle, than the four following objects: first, admission to the profession and practice of the law, secondly, a capacity to serve as county magistrates, third, a right to be summoned and to serve on grand and petit juries, fourth, the right of voting in counties only for Protestant members of parliament; in such a manner, however, as that a Roman Catholic freeholder should not vote, unless he rents a farm of 20*l.* per annum in addition to his 40*s.* freehold, or else shall be in possession of a freehold of 20*l.* a year." This formal act of the Committee was issued into the world under the signature of their Secretary, to deceive the public as to those points on which they had taken up such erroneous impressions. Well, in the very year following, the Irish parliament conceded not merely the whole of this ultimatum of Catholic desire, but a vast deal more, the elective franchise unrestrained, and admission to very many offices not here alluded to: but what has been the degree of content and moderation, what the order and purity of elections, what the mildness and constitutional language of the various organs of public feeling, whether aggregate or representative, which have ever since existed, what the feelings between man and man, which Ireland has ever since exhibited, I shall not trespass on the House by detailing; wishing they should take the fact from what must be their own knowledge, rather than from my statement.

Sir, hardly were the political concessions granted until Ireland was in a flame from end to end, and one continued month of peace or security it has never known from that hour to the present.—And yet are we called on to assume as a matter so evident, that nothing but the most wilful and intolerant bigotry can prevent us from acknowledging, that the progress of Catholic content is in the direct proportion of the concession of political power.

I know it will be said, that all this is easily accounted for; that the ambition of man is naturally progressive, and that so long as there is any unobtained residue of what is sought for, agitation will necessarily prevail.

Well, then, Sir, I will not shrink from the task, however painful, of contemplating the career of the Catholic party when last they possessed in Ireland political power unrestrained. Gentlemen on both sides of the House have talked much of the Revolution in England, have discussed the measures of its great founders, and the true nature of their views; rightly considering it as a period when the springs of human action were developed in the fullest manner, and particularly as a time when the measures taken were intimately connected with the subject now under our consideration: but I know not how it is, that, as if by common consent on both sides of the House, they have abstained from the smallest allusion to what was passing in Ireland at the same period—which, however, will be found, if I mistake not, to abound with matter much more apt for illustration.

In the last year of king James the 2nd, after a lapse of twenty-four years since any parliament had sat in Ireland, he summoned one to meet in Dublin, in his own immediate presence. For obvious reasons, Catholicity was likely to be its ruling characteristic; indeed, the Catholics naturally exerted all their energies to procure the returns of their friends at a moment so auspicious for their views; and it was the curious, and to us perhaps not un instructive result of their exertions, that the House of Commons which was returned consisted of six Protestants and about 230 Catholics.

Here, then, are the Catholics for the last time in full power. Let us now enquire what measures they pursued. But, before entering on any view of their proceedings, allow me to observe that this was no casual concurrence of the dregs of the people, but the genuine Catholic aristocracy of Ireland.—I could easily enumerate the names of its principal members; but the detail might appear invidious, as they are generally the names of the families who in the same towns and counties (from which these members were respectively returned) at this day possess deservedly the greatest influence. In truth, Sir, they were not only the political but the natural progenitors of some of the most

respectable members of the present Catholic Committee. Like that Committee, they possessed the property, the intelligence, and the spirit of the party of that day; like them also, they consisted of persons, individually no doubt, of great respectability and worth, but whose actions as a party it remains for us to consider.

Their first act was to repeal an Act well known in Ireland by the name of the Act of Settlement—of which it may be not unnecessary to inform the English gentlemen in this House, that it was an Act which had passed in the 14th and 15th years of Charles the second, confirming to the various Protestant proprietors, the estates which, after the troubles of his father's reign, and a long course of grants and forfeitures, a court of claims had respectively allotted to them.—Many of these lands, I am ready to admit, had been seized by the violence and injustice inseparable from civil wars, but the infinitely greater proportion of them had been forfeited by the undoubted treasons of the original proprietors. This Act of Settlement, as appears by the Down Survey, constituted the title to rather more than 12 millions of English acres, that is, to about two-thirds of the whole of Ireland: twenty seven years had then elapsed since the passing of the Act; and these lands had become the object, not merely of family settlements and incumbrances, but of the most extensive improvements that had ever been effected within the same period in any country.—This Act was simply repealed by the Catholic parliament, and the whole of these lands vested in his majesty for the purpose of re-delivery to the old Catholic proprietors, as they might respectively make good their titles; and the repeal thus summarily disposed of all the property which the Protestants of Ireland had acquired during the forty-eight years preceding, during the last twenty-seven of which they had been in undisturbed and unquestioned possession.

I am aware that I address some gentlemen, who, if they spoke out upon this subject, think that this parliament was not much to blame for re-possessioning themselves, however roughly, of the estates of their ancestors.—But, waving all argument on that point, I will only observe, that the next act of this parliament was one which cannot plead even that justification; for this act of repeal operated as the seizure only of two-thirds of Ireland, but in the remaining third the Protestants

possessed a great quantity of real property, acquired long prior to that period—acquired not by forfeiture, but by purchase and intermarriage; and this became the object of a second Act, to which I shall beg now to advert.

This second Act, Sir, enumerates a long list of names of Protestant nobility and gentry, declaring that every one of them are “thereby declared and adjudged traitors, convicted and attainted of high-treason, and shall suffer such pains of death, and penalties of forfeiture, as in cases of high treason are accustomed.” To enable the House to judge of the general nature of this list, it may be sufficient to observe, that it contained the names of sixty-two lay and nine spiritual peers, above thirty baronets, above eighty clergymen, very nearly two thousand two hundred esquires, and many others—in all, nearly two thousand five hundred persons.

In other acts of attainder which have been levelled against individuals of convicted guilt, and on mature examination of proofs, the rights of remainder-men and reversioners have naturally been attended to; but this Act of Attainder was distinguished by confiscating the fee and inheritance, where an estate for life was all the property which the persons condemned had in the lands.

And the evidence of the guilt was not unworthy of the rest of the proceeding. The Catholic Speaker, in presenting the Act for the royal assent, informed king James, in the presence of such members of the House of Peers as had escaped becoming the objects of its enactments, that these persons had been found guilty (I use the words of Mr. Speaker,) “some upon evidence which had satisfied the House of Commons, the rest on common fame.”

A shew of mercy was indeed reserved. These persons are attainted only on condition that they do not come in by the November then following, and take their trials by such juries as were in readiness to receive them: but even this shew of mercy afforded only a new occasion of injustice, for it is a certain fact that lord Gosworth, the Catholic chancellor of the day, kept this Act in his own possession unprinted and unpublished until four months after that November had elapsed; and during that whole period all that was known was, that there were about 2,500 persons attainted, but who they were, no interest could discover.

Nor let it be imagined that in the violent

character of James, we may discover the cause and the apology for these severities. It was not more the true interest than the real wish of James to have avoided coming to such extremities with the Irish Protestants, which he well knew must destroy every hope that remained for him in England; he had even desired his judges to assure the people from the bench, that he would preserve inviolate this very Act of Settlement shortly previous to his being obliged to give his royal assent for its repeal: but in truth that unhappy prince was as little responsible for the deeds of that parliament, as their noble leader is for any proceedings of the present Catholic committee.

Such, Sir, are two out of many of the acts of this parliament; and to what they might afterwards have proceeded it is not easy to imagine, had not their career been interrupted by the battle of the Boyne,—an event to which the least allusion, in this age of extended liberality, is considered as the mark of the most bigoted intolerance in the descendants of those whom it thus rescued.

I am well aware, in making this statement, I shall be severely reprobated for ripping up wounds which, as will be said, have been long since closed: but when we hear so much of the alleged infraction of the treaty of Limerick, as the true cause of all the heart-burnings of the present day, it seems not amiss on the other hand to go back to a period only two years antecedent to that time, to consider fairly together these almost contemporaneous transactions, and to deny the justice of the historical reference of my hon. friend opposite, which draws the line of demarcation between the ancient and modern history of Ireland with such curious felicity as exactly to include the one, and exclude the other, holding up the former as the fairest subject for political illustration, but classing the latter among those antiquated transactions, which none but a bigot of the darker ages could think of recollecting. It is not, however, merely for this purpose that I make this reference.—I admit that a new repeal of the Act of Settlement is not now within the scope of any person. Independent of so many Catholics now deriving their own titles under that Act, nothing would be so difficult, as to ascertain the heirs of most of the original forfeiters, who are now indeed in the very lowest ranks of society; and if their persons were as certain as they are doubtful, it is not to be

supposed that any party would throw the country into confusion for their sakes:—I cannot, however, go the length of saying, that these scenes afford no ground of inference at all.—Gentlemen on the other side rely on history for this promised moderation.—Well, here is her evidence—here are the political actions of the Catholic party at the latest, and that no remote period, when full action was within its power. It is replied, the Catholics are now changed.—Most willingly I admit it, but the degree of that change is a question which still remains for consideration; and it is a more summary than sufficient method of disposing of it, at once to denounce as intolerant, and blind, and mad bigots, all those Protestants, who looking first to the transactions of 1689, next to the great blank that succeeded during the operation of the penal code, and finally to the fever which has subsisted ever since its relaxation, still hesitate to assume it is a matter quite self-evident, on the ground of historic reference alone, that the change alluded to is so perfect and complete, that the Catholics, if now admitted into full political power, do not retain even sufficient distinctness of views or feelings, to form them into a separate party in the state.

For this is really now all the question between the two sides of the House. Convince me that the Catholics, if admitted, would at once amalgamate with the different parties that exist, that Catholicism would cease to be a watch-word, that is, that no Catholic objects would remain for attainment, and I withdraw every opposition to the instant completion of their desires. On the other hand, show me four millions of Protestants bound together, with important and tempting objects in their view, separate and distinct from the rest of their fellow countrymen, and speaking through the organ of one hundred members in this House, and I say the constitution is exposed to a new, an untried, and a great danger.

But it is answered loudly, the Catholics have none such. This is indeed become their whole case: but again I ask, how is it made out? I think I have shewn that, history forbids their advocates to make an appeal to her testimony for the past: let us then consider future probabilities, and suppose the Catholics in this House tomorrow, their clergy being left on their present footing,—would not the arithmetical argument apply at least as strongly

against the payment of tithes to a Protestant establishment, as to any point for which it is now relied on? nay, would it not apply even to the estates of the Church, quite as forcibly? Or, do you think that Catholics would be less apt to apply it to these points, than their Protestant advocates to the rights of political representation? Or, supposing the Catholic members in this House to be absolutely indifferent on this subject, is it in human nature to suppose, that their clergy will be of the same feeling? And, if their clergy choose to act on it, I have already given my reasons for supposing that their still low voice, echoed and magnified in ascending through progressive ranks of their laity, would at length be uttered in thunder by the legitimate organs of their party.

But, Sir, in truth I do not suppose that this would become their first object. Its secure attainment would become so infinitely easier by making it their second. For when it is so confidently asked, whether one hundred Irish Catholics added to the five hundred and fifty-eight Protestants of British members, could ever effect any such Catholic object,—I wonder it does not occur to gentlemen, that this argument has another bearing, and that it furnishes the very reason why the Catholics, when this right of representation is once acknowledged, must wish to get rid of the embarrassing restriction of such a fellowship.—A repeal of the Union would at once effect this object. Converting a barren right into a profitable enjoyment, it would give them, not a mere eligibility to office, rank, and power, but their certain, perhaps exclusive possession. This desire would hardly, indeed, be made the ostensible ground of the proceeding; but, the first heavy taxes or commercial embarrassments would not fail to afford a decent signal on the subject; and I feel the most thorough conviction, that this House would then be assailed by the cry of "Repeal the Union," uttered with a strength and perseverance, of which nothing in the annals of petition can furnish an example. And though it is easy to say that England would never assent to the proposition, yet it is not easy to say, what a hundred determined members in this House, backed by the cries of millions, might not, at a critical moment, be able to effect; and if, under these auspices, that measure should be effected, I know not which would have most cause to rue that

day, the Protestants of Ireland, or the empire of Britain.

I think, then, that any surmises as to the probabilities of the future furnish as little grounds of satisfaction, even as the certainty of the past. I will advert to the only remaining ground of inference on the subject; and that is, the aspect of the present. And now, Sir, what are the grounds which this affords for the consolatory belief, that the Catholics are ready to lay aside every feeling of distinctness, and amalgamate with Protestants in a community of views and objects? What, I would ask, are these signs of the times that convey this happy information? Is it from their speeches, or their writings, or their actions, that we are to receive this satisfactory assurance? Easy indeed would it be for me, from their recent debates and publications to produce such testimonies as might lead a thinking man to form more than a doubt upon the subject: easy indeed would it be for me to cite arguments upon arguments, openly relied on by their warmest advocates, to prove that all will be incomplete without that very Repeal of the Union, which I have alluded to: a consequence of the concession which I have observed to startle some gentlemen whom I address. Nay, Sir, I could cite their authorities, not few in number, declaring, under various modifications of expression, that connection with this country has been the bane of Ireland; and in which a termination of that cause of evil is not obscurely recommended. But I have trespassed too long already on your patience, to render such details admissible: I am also aware of the injustice of attributing to a party, the imprudences of a few. Justice, on the other hand, compels me to observe, that it does not appear from any reports of the proceedings which I allude to, that such expressions were received with any disapprobation by the audiences to which they were addressed.

But I would ask the right hon. gentleman who has proposed this question, whether, in the very circumstance of their retraction of the once proffered Veto, we are not justified in apprehending that a distinctness of political feeling is at the bottom? The objections to the concession must be either religious or political; they cannot be religious, for their bishops, during nine years together, had under their hands consented to agree to it; and that cannot have become religiously wrong

now, which was religiously right, when they so consented; and if it is political; what, I would ask, is that political cause of it, that is not in itself a distinctness of object on their part?

The right honourable gentleman who introduced this question, says, indeed, that all who take my view of this question, are bound to vote for the enquiry. I must beg his pardon: an honourable gentleman who spoke for the first time in this debate, has refused to go into the committee, because he does not know the terms on which the Catholics are prepared to treat; Sir, I refuse it for a reason the opposite to his;—I refuse it because I do know their terms; they are not unavowed, and they are these—that they will have all from us, and that we shall have nothing from them. This is the short and the simple basis of the proposed negotiation. And am I, who have ventured to condemn the proceedings of the Irish parliament, on the express grounds that having much to require as well as much to concede, they gave up most of what they had and obtained nothing in return,—am I to be told, that I am bound, on the same terms, to add all the remainder to all that they have thrown away?

Sir, for the reasons which I have offered,—reasons political and not religious, reasons defensive and not intolerant,—I vote against going into any enquiry at present on the subject:—and here I might sit down, thanking the House for their extreme indulgence; but, as the opposers of the Catholic claims are now divided into those who oppose concession without terms, and concession *in toto*, I beg leave to add a word upon that point, with the same freedom that I have spoken upon others.—The Veto I consider as an idle bauble, not worth acceptance on the one side, or refusal on the other: but if the day should ever come, when their clergy, instead of trusting to the feelings of their flocks for a precarious subsistence;—when instead of looking to a foreigner and an enemy for their promotion, and to I know not what professors at Maynooth for those undiscovered studies which they decorate with the title of dogmatical theology;—when instead of claiming and exercising a distinct and illegal consistorial jurisdiction;—and, instead of lying bound in those Papal fetters which the other nations of the earth have broken, but which the policy of Ireland has hitherto contrived to rivet;—instead of this their present of

ought strongly to operate in favour of going into a Committee, where such allegations can be properly investigated. The hon. gentleman has also dwelt upon the conduct of the Roman Catholics in Ireland in the reign of James 2, and argued that the infraction of the articles of Limerick could only be looked on in a retaliatory point of view. For my own part, I cannot help thinking that it is to the infringement of that treaty, which all the evils of Ireland are principally to be traced. For that infraction, so far as it related to the government of Ireland, placed them in a state of usurpation over the rights of the people.

Sir *Samuel Romilly*.—Sir; on every question that has been brought before the House tending to remove the restrictions against the Catholics of Ireland, since I have had the honour of a seat in parliament, I have always given my vote in its favour; but I have never till now ventured to obtrude myself upon the House, to state the grounds of my vote. I have thought it my duty on all former occasions to give way to other gentlemen, whose sentiments I felt it was much more important should be known than mine. I am however desirous of stating for once as shortly as I can, the motives which have actuated me in the conduct which I have hitherto pursued; and I am the more desirous of doing it, because I am sensible, that upon this question more than upon any other which has come under the consideration of parliament, no person can take part on the side upon which I shall give my vote this night, without being liable to have his motives misrepresented, and his conduct treated in the most uncandid manner. When we have seen that persons of high distinction in the country, from no other cause than the part they have taken on this subject, have had it openly stated of them in the public newspapers, that they had formally renounced their religion and embraced the Catholic faith;—when such representations have been made, and confidently given out to a credulous public, by persons who are constantly paying their court, in the basest and most abject manner, to those who are at the head of the government; when I say such stratagems are resorted to against persons of the highest distinction, and whose whole lives may be said to be spent in the view of the public, I can hardly flatter myself that one comparatively so obscure as myself will

escape misrepresentation. I think it right therefore to say of myself that there are some of the doctrines of the Catholic religion which I abhor. I detest that persecuting spirit which two or three centuries ago, seemed to actuate the professors of that religious faith, much more than any other description of Christians. I was educated from my earliest infancy with these impressions. I am descended from Protestant ancestors, who were themselves the victims of persecution, and the prejudices produced on my mind by my education in early life, has required all the efforts of my maturer reason to shake off. But it is not because my own privations or the sufferings of my ancestors, have had their source in the Roman Catholic persecution of a remote time, that I would consent to make myself a party at this day to the persecution of my fellow Christians of any description.

It has been represented by a right hon. gentleman who has spoken lately in this debate, that this is not a question of toleration. Sir, I consider it to be purely a question of toleration, a question in its consequences affecting the religious liberty, not of the Catholics of Ireland only, but of every sect of Christians in this country who dissent from the doctrines of the Established Church, and it is because I think that the carrying this measure will tend to relieve them all from the disabilities under which they now labour, that I support it. I trust the time is now passing by, notwithstanding the arts which have been lately practised, when any particular sect of Dissenters can be induced to make common cause against the Roman Catholics. They cannot surely avoid seeing that in joining against the Catholics they are preparing arms against themselves, and that the cry in which they are now invited to join against the Catholics will at a future time be raised against themselves. This, indeed, in one of the Petitions on the table is hardly disguised; it is not Popery that is obnoxious, but Religious Liberty. When it is stated that this is not a question of toleration,—but whether political power should or should not be given to certain individuals, I would ask, can it be contended that the disqualification of men from holding places of trust is not a penalty? Can this be contended, while we have so many acts of parliament which punish different offences with incapacity to hold offices. It is not true, however, that the disabilities to which

the Catholics are subjected can be justified on the ground of any expediency of withholding from them political power. Some situations from which they are excluded possess to them no political power whatever. Catholics in Ireland, for example, who are of the same profession with myself, are not permitted to hold the office of King's counsel; long as I have held that situation, I have yet to learn what is the political power that belongs to it. They have the privilege indeed of pre-audience in courts of justice—the privilege of leading in a cause, and addressing a jury, instead of being restrained to opening the pleadings, and examining witnesses; but power of any kind over any living being they have none; and this important privilege of pre-audience it seems in Ireland cannot be safely allowed to those whose religious opinions happen not to be the same as those of the makers of the laws. Can it however be truly said, that being disqualified from rising to the highest situations, to those situations to which political power does belong, is no injustice done to them? What, is it no hardship to the Catholics of Ireland to be told, you may enter indeed into professions which are highly honourable to others, but by you they must be followed merely as the means of gaining a subsistence for yourselves and your families. As to all the proud objects of honourable ambition; as to every thing which can ennoble your labours in your own eyes and in the eyes of others; as to the hope of ever rendering yourselves eminently useful to mankind, or gloriously distinguishing yourselves by services rendered your country; as to the prospect of establishing a reputation which shall live in the memory of a grateful posterity; of becoming an example which shall be held up to others, and serve to kindle the virtues of a future generation, and of leaving a name, which when your children hear it pronounced they may glow with an honest pride and a pious exultation, as to all these animating hopes and prospects, they must by you be for ever relinquished. You may toil on in the humble situation where gain must be your only object: you may see honours and distinctions distributed to those around you: but you must be for ever precluded from them. That profession which to your colleagues leads to the most eminent station, shall be to you an unhonoured though profitable trade. Can it be possible that these distinctions should not operate in some de-

gree to humiliate and degrade a man in his own eyes, and in the eyes of those around him. What was the profession of the law in France previous to the Revolution, compared to the same profession in our country? Why, it was comparatively a degraded profession, and for this very reason, because it was one in which emolument only was to be gained, and no eminent honours to be acquired in it. I would appeal to the right hon. gentleman opposite, and I see many gentlemen opposite who were once in the same profession, but now in possession of some of the highest offices of the state.—I would appeal to them—and I would appeal to you, Sir, for I remember you were once in that profession,—and, I would ask any of my right hon. and learned friends around me, whether they would have entered that profession, if they were obliged to enter it in the same way the Catholics of Ireland enter it? Was it as a means of getting money that they entered it, as a sort of livelihood or trade, and not as an honourable path that might lead them to the high and distinguished offices of the state, which was the sole object of their ambition? Or I would ask, was not the ambition of their youth rather excited by the prospect of emulating the Hales, and the Holts and the Somers's? Any man who has reflected upon the sources of human ambition, will find that these alone are the adequate rewards of virtuous and honourable exertion. It is the hope of those distinctions that enables him to get through the disappointments and the labours of that arduous profession. These are the rewards which he must look to as the ultimate object of his ambition. Would those gentlemen, I ask, enter the profession if it were so degraded in this country? would they have consented to follow it as a kind of trade, in which they might make the most of their words and their knowledge?—If they would not consent to this, I would ask, how can they expect that harmony, peace and contentment can exist in Ireland? Do they think that exclusions of this kind can fail to excite animosities and discontents? But why are the Catholics excluded from these paths of honour, and shut out from all offices? Because they have something to do with political power. If this is the criterion of your safety, you ought to carry the principle farther. You ought not to suffer your Catholic soldiers to be made corporals or serjeants, and still less captains or ce-

lonels,—you should not suffer one of them to be a juryman or a magistrate—because they all exercise political power.

I confess that I was very much surprised at the conclusion of the speech of the hon. gentleman who spoke last but one, from the opposite side of the House, (Mr. Leslie Foster.) From every thing that fell from him, I should have concluded, that he would have voted for going into an enquiry. He tells us that the Catholic religion is not a certain and fixed thing, but that it has varied from time to time; and that it is different in one country from what it is in another. In this I concur with him, and I therefore think his speech an extremely good answer to the arguments of the right hon. gentleman who spoke some time before him (Mr. Yorke), and who has been telling us of the general councils of ancient times, from which he has produced doctrines which he assumes must be the Roman Catholic doctrines of the present day, the Catholic religion being, as he contends, necessarily the same now that it ever was. Now the House must judge which of the two representations is the correct one. However, the right hon. gentleman says, he will never be content to relax the laws against the Catholics, until the decrees of former general councils are rescinded by the decrees of other general councils. Sir, the most eminent book that was ever written against the Protestants, was by the celebrated Bossuet, entitled, the History of the Variations of the Protestant Churches. The charge, however, was retorted against himself, and he was answered by a History of the Variations of the Catholic Church, in which it was shewn, how the Catholic Church had differed from itself at different times: how the doctrines of one day had been rejected on another: and how their opinions differed from each other at different periods. Happily, Sir, these variations have taken place, and the Catholic religion of the present day is as different from that Catholic religion which is held up by the adherents of ministers, as imputable to the Catholics, as the dangers they talk of are to be little apprehended. I remember in the celebrated work of Mr. Burke on the French Revolution, he has well stated, that early in the progress of that Revolution, those who directed the public opinion in France, as some men have attempted to direct it in this country at this day, and who exposed upon the stage the Massacre of St. Bartholomew, and the crimes of

Charles 9, and the cardinal of Lorraine, did it not to excite in the people a detestation against persecution, but to inflame their minds to fresh outrages. Their conduct was exactly the same at that time as that of the adherents to the ministers of the present day; who, when either in quarto volumes, or in pamphlets, or in inflammatory handbills, they publish histories of the inquisition, and hold up the cruelties of queen Mary, and the fires kindled in Smithfield to our view, do it not to excite our horror against persecution, but to kindle a fresh spirit of persecution, and to give it a new direction. I am far from imputing any such motives to the hon. gentleman who spoke last on the opposite side; but I must say that a part of his speech, without intention, I have no doubt, was pretty well calculated to further the same object. Reverting to the history of former times, and to obsolete records, I do not think it is fair to charge the individuals, the innocent descendants, perhaps of very bigoted and cruel ancestors; to charge them with the conduct of their forefathers, and to excite against them a spirit of resentment on account of the errors of past times. I do not impute to him that intention; but what, I ask, could be better calculated to inflame and influence the passions against the Catholics of the present day, than talking to us of the cruelties and barbarities of 1689 and 1690, and of the bigotry of the Jesuits at that time? It is just as fair to judge of the present Catholics by the conduct of their ancestors, as it would be to judge of us at the present day by the intolerance that was evinced by the Protestants of past times. And certainly if we are to be considered as sitting in a judicial capacity, and called upon to decide a question of justice between the Catholics and the Protestants, those circumstances should be brought to our recollection, because they would be just as well calculated to answer the same object. I believe there is no sect of Dissenters more innocent and unoffending in their doctrines and their practice than the Anabaptists of the present day: and yet how triumphantly, though unfairly, might they be told of the bloody and violent atrocities of John of Leyden? Are not, then, the justice and the reason of such conduct as strong in the one case as in the other?

But, Sir, I was observing that the hon. gentleman has very much surprised me, because he sets out, after telling us that

the Catholic religion was different in one country from what it is in another, and that the Catholic religion in Ireland has something of a peculiar character in it, different from the Catholic religion in any other country. [Mr. Foster across the table signified his dissent to this assertion.] If I am wrong in my interpretation of what the hon. gentleman said, I am right in stating, that there are very various opinions upon the subject on the same side of the House. How are you to decide upon this matter?—But what are the peculiar doctrines of the Roman Catholics of Ireland? Who knows what they are? Did not the hon. gentleman address the House as if he professed to give information of what those peculiarities were?—[Mr. Foster. "No."]—Then the hon. gentleman cannot give us information:—and yet he refuses us to institute an enquiry upon the subject! I certainly thought that the information which the hon. gentleman gave us decided his own vote, and was intended to decide the votes of all other men conversant upon the subject. In the same manner it is, that he has proposed to inform us of the bad system of education in Maynooth college. He stated, that the information he had received respecting the system of education adopted at Maynooth, was one reason why the House should decide against the present motion. [Mr. Foster. "No."] If I am wrong again, I can only lament my unfortunate incapacity to understand the hon. gentleman. I must therefore only take a middle course, and suppose that the House has received that information; and without forming any opinion one way or the other, seriously call upon the House, to enter into so fit a subject of enquiry, in order that they may know what are the tenets of the Roman Catholics of Ireland, at the present day.

Then the hon. gentleman says, that the priesthood of Ireland possess more influence than the Catholic priesthood do in other countries. Perhaps they do. But to what, I would ask, is it to be ascribed? Why, it is to be ascribed to the disabilities they are subject to; but much more to the grievous penalties under which they laboured not long since. Driven to despair by cruel enactments passed against them, they found protection only in their religion; and to this must be ascribed the influence of the clergy, who ministering to the comforts of their flock, and healing their wounded feelings, a warm affection

and esteem naturally ensued. There never was a country in which the clergy, when persecuted, did not obtain an influence over their flocks. It is natural that they should; because the risks they run, and the hardships to which they are exposed, cause them to be venerated as saints and as martyrs. Shall we, then, after giving this ascendancy to the clergy by our impolitic and cruel acts, I am not speaking of the laws of this day, but those that were in force not many years ago—shall we, for this reason, continue the unjust disabilities which still remain, and thus punish them for that which is in truth the work of our own hands? I would ask too, whether this very assertion, that the Roman Catholic priesthood of Ireland have an influence greater than is possessed by priests in any other parts of the world, is not of itself a fit subject of enquiry.

A great deal has been said, upon this and former questions, respecting the danger that there is in suffering a priesthood, the tenets of whose religion are hostile to the established religion of the state, to remain even in spiritual dependance upon a foreign power. I cannot imagine how any gentleman who has the free use of his understanding—I do not mean it offensively to any man,—but how any man who allows himself the free use of his faculties, can see any such danger at present. Whatever danger was to be dreaded formerly from Popery in Ireland, I am confident that there is none now. If we appeal to the history of past times for the danger that we are told to apprehend now from that circumstance, and take that as the rule by which we are to judge on the conduct of the Catholics at present, that danger never has nor ever will be removed. But if we wish to do justice to this question, we must not look to two or three centuries past, but to the times and circumstances under which we live, and judge of the Catholic religion as it is now preached and practised. Because, in the present time, we shall see that spiritual authority, which once maintained a political dominion over the whole Christian world, is now divested of that power and strip of those terrors which once excited the apprehensions and fears of every Catholic monarchy in Europe.

I certainly shall not fatigue the House with enlarging upon the historical illustrations which might be resorted to upon this subject. But there is one very striking fact which took place at no very dis-

tant period of time, which may serve to show the bad policy of the course we are pursuing. I mean the conduct of the king of Prussia towards Silesia. Frederic at first set up some obscure and not very intelligible claims to that country, he then invaded and conquered it, and it was finally most reluctantly ceded to him by Austria at the peace of 1742.

The Catholic religion was the established religion of the country; it might well be supposed disaffected to its new Protestant monarch; its ancient attachment to Austria, and its local situation between the Austrian and the Prussian dominions, might well render the power of the Catholics formidable. The king of Prussia was not even acknowledged at this time by the Pope as king, he was styled at Rome only marquis of Brandenburg, and yet what under all these circumstances was the conduct of that great monarch towards Silesia? did he attempt to persecute or destroy any of his Roman Catholic subjects? Did he think it politic to shackle, or deprive them of any of those privileges which they had theretofore enjoyed? Did he destroy any Catholic universities? Did he attempt to remove any Catholic judges? Or did he attempt to deprive any Catholic bishop of his spiritual authority? No: That magnanimous prince was too wise a man, and when that policy was advised by some of his ministers, he rejected it with disdain, and pursued that policy which tended so much to add lustre and greatness to the crown he wore. Undoubtedly he was a man of no religious scruples. (Hear, hear!—Laugh at the ministerial side of the House.) Certainly, I admit that he was wholly indifferent about religion, but is this to be considered then as a question of religious difference? Will gentlemen put it on that footing? If they will own that their aversion to the Catholics is because they are of a different religion from themselves, if it is to their extreme orthodoxy that they oppose the Catholic claims, I have nothing to say more: but I understood that this was a mere question of policy, and so considering it, a more striking and instructive example than this can hardly be produced. The supposed danger of leaving political power in the hands of those who were of a different religion from the monarch was thought so great, that it is said to have been proposed to Frederic, that he should become himself a Catholic. If such a proposal was made he rejected it,

though certainly from no religious scruples, and he adopted that which appeared a remarkable proof of true wisdom and princely greatness. He established public toleration: he left them in possession of their universities: he left them their bishops: their generals were given commands in his own army, and he secured the affections of the people, by laying open to them the opportunity of holding places of trust in the state. By those means the great Frederic, notwithstanding the threatened dangers of the Papal see, found in the Silesian Catholics the most attached and well affected of all his subjects.

Sir, there is a mode of conduct adopted on this question, which appears to me, upon a subject of this kind, most uncandid and unjust. Is it just by looking into the tenets which constitute their religious faith, taking them in their strictest sense, and then ascribing to every person professing that faith, the adoption of that tenet and of all the most odious consequences which can be inferred from it. Should we think that we who are of the established religion were very candidly treated if we were dealt with in the same way? If any person looking into the articles of our religion, and finding there that the Athanasian creed is adopted and declared to be of undoubted authority, were thence to infer that every member of the Church of England professes that an all merciful God has doomed to never ending torments all those who do not firmly believe what he has not given them understandings clearly to comprehend; and yet this is exactly as the Roman Catholics are dealt with by those who ascribe to each individual of that faith, all that they can find most objectionable in the doctrines established by the councils of Lateran or the council of Trent.

Now, Sir, often and often as this question has been brought before parliament, the same frivolous answer has been given to the Catholics. The excuse has always been, and for what reason I never could discover, that the time was not proper for the discussion of the subject. We are again told that these claims ought not to be entertained now. I would ask, Sir, whether any man could have anticipated two years ago that such an answer would have been given to the Catholics this day, under all the consideration of times and circumstances that their claims are brought before parliament? The excuse which

might formerly appear a plausible objection to the discussion, has no longer any foundation. Every thing conspires now to make the time favourable for carrying this question. The temper and conduct of the Catholics is entitled to your confidence and respect. We see them at this moment submitting themselves with the utmost humility to the existing law of the land. And notwithstanding the character given of them to the contrary, yielding their opinions to the decisions of courts of justice: and with all their passions and prejudices roused by the apprehension of some new attack upon their privileges and liberties, yet, submitting with all humility, to that which was stated to us to be the law of the land; and yielding to its consequences with deference and obedience, under the conviction of its reason and justice.

We have now those very Catholics who have thus submitted themselves calmly to the administration of the law, at the present time petitioning to be admitted to the rights and privileges of British citizens, with humble submission to your wisdom and your sense of justice. We have not alone the Catholics,—coming as humble suitors to your bar, but we have the Protestants of Ireland themselves, whose apprehensions of danger have always been represented to us to be the great obstacle in the way of the Catholic concessions,—now seconding the Petition of their Catholic brethren, and beseeching you to admit them to the benefits of the constitution, as the only way you can give them that security which you profess to promise them. In opposition to these Petitions, you have on the other hand—who? All the United Kingdom remains in silence. There is not a single dissentient voice to the justice of these claims, save only the Petitions of the universities of Oxford, Cambridge, and the corporation of Dublin. Notwithstanding the inflammatory pamphlets and hand bills distributed to excite opposition, and to produce resistance to those claims, no opposition has followed, no dissentient voice has been raised except those I have mentioned, and the voices of the honourable gentlemen on the other side of the House. They in short are the only obstacles to these concessions. We have the former opinions and promises of the illustrious person now at the head of the government in favour of those concessions, but his present ministers are against him;

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and unless his friends are mistaken—
[The Speaker here intimated that this was out of order.]

We have it not now stated as on former occasions, that great scruples are entertained in the highest quarter on this subject, which are wholly unfavourable to the hopes of its success:—upon this question, then, we have the concurrence of all persons and individuals of every description in the country—except only those I have mentioned; and I do not despair even of the concurrence of many hon. gentlemen opposite, at least until we have the pleasure of hearing some of them speak. The noble lord opposite (Castlereagh) who has always stated, that his reason for opposing the question was the unsuitableness of the particular occasion, will, I make no doubt, support us now upon this question.

When we recollect all these circumstances—when we consider that the alarms formerly excited upon the subject of foreign influence, no longer have any foundation: when we see Dissenters of all descriptions, and even Protestants themselves, joining in one common voice on this great question; and when we know the fatal consequences of a refusal, I would ask whether it is politic in the House of Commons, under circumstances so favourable to the question as they are at the present moment, to tell the Roman Catholics that “we will not only not grant your claim, but we will not even hear any thing on this subject. We will not enquire whether your claims are wrong or rightly founded: we will not even so much as listen to you.” Depend upon it that these people must be heard. If you do not hear them now they will come again and again: and every time they appear at your bar, they will come with increased acquisitions of strength; and that which you might give them with grace and condescension now—will appear to come hereafter from far other motives than a sense of justice, reason and good sense.

If the right hon. gentleman thinks that holding such language is holding the language of intimidation, he is very much mistaken in the feelings of human nature. If the repetition of complaints brought again and again, after having been rejected with contempt, is to be called the language of force, I know not upon what principles the right hon. gentleman’s sense of political justice is founded.

Sir, I think I should not discharge my
(3 P)

duty as an honest man, if, reflecting on the tremendous dangers by which the country is surrounded, I did not give my vote for this question.

Mr. Fuller.—Mr. Speaker, the speech of the hon. member was the most extraordinary I ever heard in the course of my life. I was astonished to hear him, who is at the head of the Dissenters of this country, and who I have been informed is retained for them, speak in the way he has done. I should like to know, however, from the hon. member how he came to swallow the test oath before he came amongst us?—(Cries of Order! Order! from the Chair, and from the House.)

Sir Samuel Romilly.—Mr. Speaker; whatever that hon. member can say, shall not rouse me to the use of any unparliamentary language. Where the hon. member got his information respecting me, I cannot possibly imagine; but who ever told him that I come here retained for the Dissenters, told him a gross falsehood. As to my being at the head of the dissenting body, and my having swallowed the test which he mentions, the hon. gentleman, as he takes so much interest respecting me, will be glad, perhaps, to hear, that I was educated in the Established Church; that I have always attended places of religious worship according to the rites of the Established Church; and that I do not recollect that I have ever been even out of curiosity in a Dissenting meeting house.

Mr. Fuller.—I am much obliged to the hon. and learned baronet for his explanation; and I cannot but compliment him on the extraordinary feeling which he has shewn on this occasion.

Mr. William Smith.—Sir; at this late hour I shall detain the House but for a very few minutes, for not being myself a member of the Established Church, I can scarcely expect to be heard on this question without some distrust.

My hon. and learned friend who has just sat down, has told the House that he never to his knowledge attended public worship nor even entered the doors of a Dissenters' meeting house. Now, Sir, I am not ashamed to say that I am in the constant habit of attending divine service in a house of that description, and I must inform the hon. gentleman over the way, (Mr. Fuller) for his comfort, that I stand here without having "swallowed" any

test, or taken any oath repugnant to my conscience. I am, Sir, one of the few Dissenters not precluded by scruples to certain oaths from entering within these walls; but, Sir, although there are no impediments thrown in my way from entering here such as preclude the Roman Catholics, yet I am equally precluded with them under my religious sentiments, from holding any office of trust or emolument under the state. For although those sentiments do not render me ineligible to a seat in parliament, yet I cannot avoid thinking that a strange anomaly in the law, which while it renders a man eligible to a seat in this House, and to aid in the making laws for the government of the realm, yet declare him unfit to sit as a magistrate in administering those laws even in the case of a turnpike road, or acting as an exciseman. Such, however, Sir, is my case and that of all those who think religiously with me; and therefore in pleading the cause of the Roman Catholics I am contending also for my own.

"Nam tua res agitur paries cum proximus ardet."

Sir, I believe there is no man in this House whose religious opinions differ more widely from those of the Roman Catholics than mine: but I feel that no just reason why they should on that account be precluded from enjoying the same civil rights and privileges under the same government with myself, to the support of which they as equally and as loyally contributed, and in the maintenance and security of which they must be equally interested.

Sir, the vexatious and injurious nature of these incapacities have been justly, and I think not too forcibly stated by my hon. and learned friend. They are precisely of the same nature with those inflicted for certain crimes to which the law has affixed the character of infamy. They are privations of civil rights enjoyed by other subjects: obstacles to advancement in every honourable profession, and their natural tendency is to depress those on whom they operate below the rank which their talents and characters would, otherwise, entitle them to enjoy. I ask, Sir, is this not an evil, and a most serious one? And if inflicted by the will of others, on account merely of differing in religious opinions from themselves, is it not a punishment for professing those opinions?

Now, Sir, it is well known that the law does not consider non-conformity a crime. It has been expressly so laid down by my

lord Mansfield, in his memorable Argument on the Sheriffs' Case in the House of Lords; and I ask then, is it not absurd and unjust in the extreme to inflict punishment where no crime is even alleged? Is it possible for men so treated to banish from their minds the sense of oppression? But to be gravely told by persons under none of those inconveniencies, and enjoying all their own civil rights in their fullest extent, that these exclusions and this stigma are not punishments in reality because they are not so called in law, I cannot but consider as adding a bitter insult to a most severe injury. And, Sir, with this feeling in myself, I am naturally led to suppose that the Catholics are equally alive to the injustice. As to the immediate question, I think that the true and even the safest line of argument is to take it up on the high ground of right, nor am I afraid at any time so to defend it; but I will for the present decline that course, both because in this debate it has been argued on political expediency alone, and because I fear that even should I be successful in convincing the understandings of gentlemen on the abstract right, I should fail of gaining their votes.

It seems to me that the right hon. gentleman (Mr. Yorke) has stated a good logical argument. It is true, that in theory, some danger might be apprehended from a foreign spiritual head, acting through the medium of priests attached exclusively to its interests, on a population possessed of a large share of political power. And it may be said, that the duty and obligation of obedience to this spiritual chief is indissoluble, and in many cases, paramount to all others.—But surely the reply is obvious and easy; such dangers are all comparative; they were compounded of the force acting, and the subject or material on which it operated: and therefore, though the Papal connection should continue to exist after the concession of every civil and political right, it does not at all follow that the danger would by those concessions be increased: because, if by such just and liberal treatment, discontents were allayed, and men's affections gained, the whole mass would be less susceptible of any undue influence; and though possessed of greater power, would be far less the just object of suspicion or alarm. But though, for these reasons, I am extremely desirous of going into the committee, I will not disguise my opinion, nor advise those to enter on the enquiry

who are determined to grant no more than merely the removal of the remaining disabilities. I, for one, am convinced that the Catholics had a strict right to much more, and never can be, perhaps never ought to be satisfied till they obtain it: If, when our eyes are opened to the perception of what is just, we are afraid of acting up to our convictions, it would be better not to permit the light to enter. One hon. gentleman has referred much to history, from which in my opinion, he would have done more wisely to have abstained, because that reciprocation of injuries which for centuries formed almost the only connection between England and Ireland was an invidious topic, more calculated to irritate than to allay animosity,—nor would I myself have touched on it, only with a view to rebut the false inferences which have been drawn from a partial view of the subject.

In our Union with Scotland we treated with her as an equal; finding the people in possession of an established form of worship and attached to it, we enquired not into its truth or its conformity to our own; but, satisfied that it was the religion of the majority, we solemnly confirmed it in possession. Ireland on the other hand, after long and bitter contentions, we had by force subdued; and her treatment was that of a conquered province. The vast majority of her population we found Catholics; and contrary to all right and justice—contrary to all sound policy, since England had become Protestant, we not only subverted the establishment of the Irish majority, but erected our own on its ruins, using it and its revenues, not for the only legitimate purpose of any establishment, the promotion of morality and virtue, the instruction of the people, and the support of religious worship, according to that form which best satisfies the majority, on which ground alone a whole nation can justly be called on to contribute; but compelling all to pay for the convenience of a few, applying the contributions to the maintenance of an hierarchy repugnant to the feelings of the country, and whose chief use is, that of a political engine to uphold and strengthen the civil power of the conquerors. Is this the way to appease discontents—to eradicate old prejudices—to reconcile differences—to extirpate foreign attachments? The Church of England worship indeed has now been so long established there, and is so interwoven with the rights of property and the

frame of the government, that its subversion, in favour of any other, cannot now for a moment be contemplated: but surely the liberal, the just, the obvious policy would be to attach the Catholic clergy, and through them their people, to the Protestant government, by taking them openly and directly under its protection, and applying part of the Church revenues to their decent and comfortable maintenance. Thus would the laity feel that a portion at least of those revenues was equitably directed, and the clergy having at home a natural object of their respect and affection, would speedily lose those regards towards any foreign head which could reasonably excite apprehension or jealousy in their civil superiors. On these principles we acted in Canada, not then surmising that even Frenchmen might not be indulged in a partial establishment of their religion, without endangering their allegiance; but conceiving on the other hand, that to free them from all irksome and unnecessary restraints was the best mode to secure it; and when have we heard of any disturbances occasioned by the Pope in Canada? Why then should we not extend measures equally kind and paternal to Ireland, or why fear that there only, generosity and justice would fail to produce their uniform effects on the human heart?

There are many other points on which I could with pleasure have enlarged, but the subject has been so amply and ably discussed on the present as well as on former occasions, by the highest talents in this assembly, that I will occupy no more of your time, but conclude by expressing my firm conviction, that the question is now no longer, whether the thing should be done, but when? Whether you should immediately secure the affections of our fellow subjects and guarantee the public safety, by yielding to the call of policy and justice; or, by indecision and delay, prolong the season of disunion and danger, with the certainty of, a perhaps too late, repentance.

Mr. Herbert of Kerry.—Though as an advocate for the equalization of the Catholics in every political right with their fellow subjects, I must feel highly gratified in general by the turn this debate has taken, there have been expressions in the warmth of discussion I could have wished omitted. Much censure and some hard terms have been bestowed on the opposers

of the measure. I could have wished our efforts had been confined to shewing the fallacy of their apprehensions of danger, and that fears of the subversion of the constitution in either Church or State, were in the highest degree groundless, idle, and even ridiculous. To such fears, however, do I alone believe we owe the opposition at this moment shewn to the measure. When I look round and see the numbers unfortunately opposed to us; when I consider how the character of numbers of them stand in every one's estimation, it is in vain to charge the opposition we meet with to the spirit of bigotry, persecution, or party. Many hard words have been bestowed on my right hon. friend the Chancellor of the Exchequer. I owe it to candour and justice to say, that from the time he became minister, he has risen in the estimation of the public. For one, however, deeply I lament his too powerful opposition to what I think a most advantageous measure.

I believe that opposition to arise from the purest and fairest motives; I will add, I believe in common with most, if not all our opposers, if we could convince them their fears were groundless, they would cease their opposition. To remove these fears should then be our main object; and I could have wished that even a still larger share of the shining abilities evinced in this debate, had been bestowed on this point, instead of abusing, however justly, laws now obsolete and abolished, and those, who still support the remnant of that wretched code once law. The penal code being at one time law, I allow the *onus probandi* of advantage of a repeal lay on those who proposed that repeal. They did succeed in obtaining a repeal of much the greater part. We can, I think, shew no dangers are likely to accrue from the repeal of the whole. To this should the real well-wishers of the measure bend their force. The benefits arising from such a measure, as tending to promote the peace and harmony of the empire, no one denies. The dangers real or imaginary are urged by its opposers as so great, as to occasion a probable preponderance of evil. It is fair to ask, what are these dangers; are they serious dangers, or are they insurmountable: and are the two religions at complete variance? I, for one, believe in truth, the difference not great: that during the progress of the Reformation, and for some time after, whilst the Catholics might hope to regain the immense property their Church had lost, and the

other side feared for their acquisitions: that the differences between the old and new Churches should be held to be irreconcilable is natural, but now when the fears of the resumption of the abbey lands, and the temporal power of the Pope are mere bugbears, that it should not be seen (one or two dogmas excepted) that the Established Church differs but little from its parent, is to me surprizing. I believe, should the distinctions made by law between them, be taken away, we should shortly wonder how we could so warmly differ on such, in fact, slight religious differences. In fact, it is my firm opinion, but for the disabilities imposed on the Catholics, there would be no more fear from Catholicism to the Established Church than from any other sect: I will add, if the Church lay aside old prejudices they might perceive other dangers, and perhaps less remote than from the parent religion. For one convert made from the Church by the Catholics twenty are lost by the assiduity of others: and I am convinced were the Established Church even now attacked and seriously in danger, the Catholics would, as heretofore, be found rather amongst its allies and defenders, than amongst its enemies. So strongly do I believe this to be fact, that I always regret the opportunity lost not long since, when, by the impious madness of the democratical rulers of France, revealed religion itself was attacked through the Catholics, and whilst we were literally guarding from danger the head of their Church, it was not tried whether it was not practicable by the means of a general council, to have closed a schism which has given cause of triumph to the enemies of Christianity; and which might once more have ended in the harmony and union of the whole Christian Church, now so unfortunately split and divided. But supposing an union of the parent and reformed religions at present, to be impracticable; as an union of governments has taken place between the two islands, I urge there is now no one solid argument or reasonable apprehension of danger, that can be fairly urged against giving their share of political power to the Catholics. Scotland is an example that on an union's taking place—Sir, I perceive the impatience of the House for the question, and I will detain them but a very short time, omitting going into any detail. To extricate Ireland from the peculiar situation in which she stood, four-fifths of her population Catholics, and

perhaps an equal majority of the talents acquired by learning, and of personal and real property Protestant, was one main reason with me for wishing an union between the two islands. I look on the Union as even the palladium of Ireland, because I conceive whilst in their own parliament the boroughs remained in the hands they were, an equality of rights would never have been carried, nor would a king of England ever have given consent to the equalization of the Catholics, before an union, had it even been consented to in Ireland; and the worst of civil and religious wars would probably have taken place. I think it the palladium of Ireland, because an union having taken place, every solid, nay even plausible argument, against giving their share of power to the Catholics, has fallen to the ground, and sooner or later, (and now I think soon, if they mar not the prospect) they will obtain their proportion. I will not enlarge, Sir; this was in effect promised them: it is a debt of honour, and should be paid. I know, now, this promise is often denied, and we are called on to produce it: I must admit our opposers may with Shylock plead, "it is not in the bond." I do not see the clause in the bond. If, Sir, persons high in power were silent, their derisives were not to; and gentlemen in general deceived themselves, or deceived others. It was by myself, in common with numbers, held out to our tenantry, to our neighbours and friends, that as all plausible arguments against giving their share of power to the Catholics, would be taken away by an union, the first opportunity would be taken of discussing the matter in the imperial parliament; and of uniting all hands and hearts in the safety of the empire. We have lately, and but lately, united hands, in some degree, by the measure of the interchange of the militias. We want but the present measure, I trust, to interchange hearts; and whatever may be the fate of this question for the moment, if the measure is pursued with calmness, and without marring it or mixing it with party business, it will ultimately, and that I think at no remote period, prevail.

As a real friend to the measure, I deprecate the involving this great question in disputes on subordinate and collateral points. I much fear we have lost ground in the opinion of many persons, by being unfortunately engaged in disputes with the government of the country on modes of

petitioning, and on which, as far as yet appears, the law is said to be against us. This dispute brought on much irritation, and the main question, though, in fact, not concerned, has I fear suffered; for I believe if it were not for the unfortunate starting of what is called the Veto, and for the starting of this equally unfortunate dispute about the right of petitioning by delegates, we might now have carried our question. I perceive the impatience of the House, I will only allude to one fact, as brought forward by the right hon. and learned doctor, I mean his denial of the numbers of the Catholics, and indeed even of the great population of Ireland. I can assert, I have reason from observations of my own, and those of a most ingenious man who was engaged in writing the history of our country, but who is unfortunately now no more, that the numbers, when the return is made by the new Bill, will be found to be even more than ever supposed. At all events it is a fact, that not less than 350,000 men have, in the army, navy, and militia, supported in the war the cause of the empire. How they have supported it, the annals of the country, and even the Reports of Thanks of the House will prove. I will not detain the House from the question. Every motive of justice, honour, and gratitude, call for the adoption of the measure;—so thinking, it must have, of course, my support.

The Chancellor of the Exchequer.—Sir; it is with great reluctance I rise to address the House, but I can assure gentlemen that I shall endeavour to trouble them with as few observations, as I think the nature of the question and the state of the case will permit me to do.

Sir, I am sure the House must indeed feel extremely fatigued with the repetition of arguments they have so often heard on this question; and I feel, that there is so little novelty in it, that I cannot flatter myself with the hope of laying before them any new view of the subject; and certainly, did I not apprehend, that I should be suspected of having withdrawn myself from the proposition, which I think it is so necessary to maintain, I should have permitted the question to go to a division without a single observation. Before I proceed to the observations, which occur to my mind upon the subject, I should wish it to be distinctly understood that any opinion which I may express, tending to evince a belief in my mind, that the present is not the

proper time that the claims of the Catholics should be conceded, implies no declaration that I do not in my own mind anticipate the possibility, (though I do not by any means at present conceive the probability,) that circumstances may never be so materially altered as to induce me to review the question in a different light. But I do not myself anticipate that the circumstances will be such as to induce me to view it in a different aspect from what I do at present; however, I am desirous (if any new circumstance should arise, tending to alter such a conclusion), that the opinion which I am now expressing, will be considered as not involving the opinion of any other individual with whom I am connected in political life; but that I am only expressing the opinion of myself; and that upon the question now, at the moment we are discussing it; at the same time, stating that it is the unanimous opinion of all those with whom I am connected, that the present is not the moment in which any further concessions ought to be made to the Roman Catholics. I beg leave to state this, in some measure in consequence of what we have heard stated in the course of this night, of pledges that have been broken,—of faith that has been violated,—and of hopes that have been excited only to be mocked with disappointment:—because this is the course said to have been taken on this question.

Sir, I really felt considerable doubt whether I ought not at the time we heard insinuations of that description thrown out, to have put it to the sense of the House, whether they were allusions and expressions, which could with any degree of propriety be admitted into the debate. This was the course I should have adopted, had I not doubted again, whether I could conclude with certainty, that those insinuations or observations were meant to be connected with any conduct of mine; or whether they were not united with the speakers themselves. I cannot conceive indeed, that because of the conduct pursued by the Irish parliament in 1789, during the agitation of the Regency question, or of the manner in which that conduct was received, any thing like a pledge on the part of any individual in this House, as to the concession of the Catholic Claims, was given or implied, or that the conduct of any individual in this House, either at that time or since that time, can be considered as a pledge. If it was so thought to be intended, I cannot conceive any thing more un-

founded, in fact, as far as it goes, or more unconstitutional than the opinion that must be involved in that statement. With regard to the idea that any thing being done, or that could be done by the parliament of Ireland in 1789, could impose any obligation on any body on their behalf—that is an idea founded upon a gross miscalculation, and utterly inconsistent with that fact: for in 1789, whatever could be done by the Irish parliament, could not be said to be done by or for the Roman Catholics of Ireland.—For in 1789, there was no Catholic parliamentary interest, or influence in the Irish parliament: because in the year 1792, the Petition of the Roman Catholics was rejected by the Commons of Ireland, there being not more than twenty-five members who voted for it. So that in point of fact, nothing could be more inconsistent, supposing at that time and between that and the present, any persons surrounding the illustrious personage to be called to the throne had collected the opinions of that illustrious personage, as to the justice or expediency of granting those Claims, is it to be inferred from hence, that he had involved himself in any pledge from which he could not conscientiously recede? Will gentlemen say that the Prince, before he comes to the throne, shall have any pledge elicited or extorted from him, which at a different period under different circumstances, and different views, he is so obliged to fulfil?—And is any attempt to recede from that supposed pledge to be considered as a breach of faith? Is the constitutional doctrine of the hon. gentlemen apposite? Do they mean to maintain that such a doctrine is constitutional? I should like to know from those constitutional lawyers over the way, whether they will inform who was the confidential adviser of such a pledge? I should like to know who was the constitutional adviser, that recommended this violation of the constitution? Is it possible for any man who has any knowledge of the constitution—that can feel a sentiment of this description, or that is impressed with any feeling of respect, for the high constitutional authorities upon this subject, to maintain this proposition as one that can be deemed fit to act upon?—I am therefore surprised to find, that a sentiment of this sort should be expressed by an hon. and learned gentleman, whose talents always take a distinguished part in this House.

In proceeding, Sir, to consider the sub-

ject immediately before the House, I really do not know how I can expect to be attended to; for it has been so often discussed, that every topic of argument upon it seems to be exhausted.

It is however, of importance to the House, that they should consider precisely the nature of the question before them. What are the petitions, and what the object of the petitioners are. We are all agreed that there is nothing in the power of parliament to concede, that the petitioners are not disposed to consider as their right to ask. But the pure question before us is not quite so well understood I apprehend, as one could wish, because I have not heard either from the right hon. gentleman who made the present motion, or from any individual who supported it, one word yet as to what will be the duty of the committee called for. Indeed I hardly know, from the obscure terms in which the right hon. gentleman has enveloped the proposition before us, whether it is his intention that this subject should be referred to a committee of the whole House, or whether to a select committee.—I have not yet heard it distinctly stated by any one who is acquainted with this subject, whether it is a select committee, or a committee of the whole House that is meant. The language in which the motion was couched, at the time it was made, did certainly lead to an impression on my mind that it was to be a select committee, because I understood it in these words, "that a committee be appointed." For certainly those words would imply, that a separate or select committee was intended. Now I wish, if I might be permitted, to ask the question of the right hon. gentleman whether I am right in this conjecture?

Mr. Grattan.—The right hon. gentleman is informed that it may be matter for subsequent consideration, whether it is to be a select committee, or a committee of the House at large.

The Chancellor of the Exchequer.—The right hon. gentleman seems not yet to have formed any opinion of his own upon the subject, as to what his course will be: and the House must surely feel some surprise that a proposition of so much importance is not only to be put to them in the manner and under the circumstances that I have described, without knowing whether we are to go into a select or a general committee; but that it is not decided in the minds even

of those by whom the measure is proposed, what that measure is to be. And yet, is it not a matter of very great and serious importance, on a discussion of such a subject, that we should know what the actual course of the House is to be?—The hon. gentleman seemed to think that a select committee would be the proper mode of proceeding. If that be their view of the subject, I would ask, Sir, is it possible that upon this great question which involves so many important considerations, we are to refer to a select committee—to delegate to a few individuals of this House, an enquiry into the laws relating to Roman Catholics?—That we are to be content with the report of a select committee, and with the opinion they may give, as to what ought to be done with regard to those laws?

Mr. Grattan.—In the first wording of my motion, I thought, in calling for a select committee, I was complying with the rules and orders of the House. Upon further consideration, however, I find that the motion should be for a committee of the whole House.

The Chancellor of the Exchequer.—Sir, I rather think that I might venture to say, that the time is not yet come, in which the House can with any degree of propriety adopt the resolution now proposed.

It is however to be understood now, that we are to go into a committee of the whole House; and I have no difficulty in stating that, in my opinion, that is in every respect more desirable, than to refer a question of this description to a select committee, as if it were a matter of a private nature. If we are to have a committee at all, it must certainly be a committee of the whole House. But is that all we want to know? Are we not to know what we have to do when we go into that committee? Are we not to be told what duties we shall have to perform? Are we to examine witnesses at the bar, to ascertain what are the opinions—what the doctrines and what the peculiar tenets of the Catholic religion?—Because some of the gentlemen have talked of that, a right hon. gentleman who has spoken in the debate, seemed to me to think that we were to have witnesses at the bar. What! to call to your bar witnesses to depose their own evidence in their own cause!—To call to your bar witnesses to shew us what are the notions and sentiments entertained by the Roman Catholic clergy and laity!

Are we to have their opinions declared to us at the bar of this House? And what the Protestant opinion, clergy and laity, also is?—Now, is that the sort of thing proposed by any hon. gentleman for the adoption of the House? Or, if that be not it, what is it?—Really I wish that those who are so eager to vote for this Committee, and who state that we have only to enquire, will be good enough to tell me, what are to be its labours? Every man on that side says, “Sir, all you have to do is to enquire.” Every one on that side of the House would vote for a committee, but they would not condescend to tell us, what we are to do when we get into the committee. Because I will maintain, that if all we have to propose in that committee, when our labours are united, is a new law to abrogate all the old ones, respecting Catholic disabilities, there is no necessity to resolve into a committee for that purpose at all; because if it is the sense of the House that the restrictive laws against Catholics should be repealed, it is perfectly competent for any hon. gentleman to move—that all those laws be at once repealed by Bill; and therefore I say, that this is a proceeding which will have effect on many minds, certainly of an apparently powerful nature; because the vote that most hon. gentlemen will give this night will be a blind vote, as they do not know what it is they are going to do. They do not know the precise and definite object at which they are aiming.—This obscurity, indeed, will have one good effect, in procuring many votes for that committee, which would probably be withheld if all were clear and distinct. Of this I am persuaded, that if they would tell us for what this committee is to be appointed, they would find very great difficulty in procuring any support. I do not mean to say that it is not very good parliamentary tactics, for it serves to catch votes that would otherwise be lost. But whether, on a grave question of this sort, upon which you cannot vote for this first question, without necessarily pledging yourselves to go much farther beyond what the advocates of this cause are entitled to; whether, I say, this is a fair mode of proceeding, it is for the House to judge. But for my own part, I say it is not fair by the House, nor the friends of the Catholic question in the House, to induce them to adopt the motion upon such a principle. The House, I am persuaded, must feel, that those who agree to give their votes to this

motion in its present terms, who vote that a committee be appointed upon these Petitions, will not all of them be supposed to be of opinion that there ought to be, at this moment, some relief afforded to the Roman Catholics. But that such will be the inference drawn from their votes, no man can doubt; and a very fair inference it certainly is to be so drawn.

Are those gentlemen who intend to vote for this committee, prepared to say that concession should be granted without terms and without conditions?—Are they prepared to give the Roman Catholics so false an impression of what the sentiments of this House are, as to lead them to a belief that a majority of this House are of opinion, that any relief could be given to them without any terms or condition? For that, in fact, will be the supposition drawn from their vote, without enquiry or previous discussion, all in the same night. Will gentlemen lead them into a misrepresentation that something is to be done for them, without discussion—without terms or conditions, and if not the whole of the prayer of their Petition, at least a part? Now I would ask is that the situation into which gentlemen are to be led who wish to conciliate the population of Ireland?—Is it fair or is it candid that they should be so dealt with?

Now with regard to the important question itself, namely, the question of the prayer of the Roman Catholics, in the discussion of it, the House seems to be pretty well united in their feeling that their prayer cannot be granted, without conditions, without guards, and without securities of some sort. This question, Sir, can either be only a religious question, or a political one. The latter to be considered as a question of right or expediency. As to its being a religious question, I do not think any one will urge it in that point of view. The question has not been submitted to us in such a shape as to entitle us to look at it in that form. I mean as to the distinctions or differences that there may be between the religious opinions of the Protestant and the Roman Catholic. I do not attempt to follow those distinctions, because I do not consider them to be consistently any part of our deliberation; I shall therefore leave it altogether out of my view. I shall then consider it as a mere question of policy and expediency.

In the first place I deny strongly that it is a question of right; and I think that
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in this denial, most of those who have argued upon the subject, either on former nights or this, concur. It has, however, been urged, on the other side, in a great measure, as a question of right: but though they do it, I must think, that great part of their argument is ill founded, unless they assume that there is a great deal of right at the bottom of the question. If they mean to represent that the Roman Catholics of Ireland are in a state of slavery, and ground down by tyranny under the present system of laws, one may then consider it as a question of right with reference to the law of nature. How they can come to the conclusion without considering this subject,—without reference to the institutions of civilized society as a question in the nature of a right, seems to me a very difficult matter; for if it is a question of right, it is founded upon that to which all men have justly a claim in civil society. If the question came in that form, no man can doubt the necessity of enquiry into it, or can doubt the justice of extending relief to the parties aggrieved. The question in that shape would be clear and comprehensible. But I utterly deny the proposition here contended for, the Catholics have no positive and natural right to that which has no existence but in a state of society; that cannot be an object of natural right which is purely the creature of society. Such for instance as offices of state, emoluments, and distinctions, and other social institutions which spring from the foundation of society. These can never be matters of inherent right; and no man can have any original or primitive claim upon them. These are benefits and advantages which must of necessity, be distributed according to the views of the institution that creates them. They can be only received by the members of society, according to the terms and forms which the law makes it necessary for them to conform to; and therefore, in that point of view, it is undeniable, that the Catholics of Ireland have no ground to demand as right, that which is the object of the present government to refuse to concede.

The hon. gentleman who spoke lately, on the other side of the House, seemed to think that there was some question of right attending the subject. He conceived that where there was a majority of the population of any country excluded from power by reason of their religious tenets or other disabilities, they were entitled, by virtue

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of that majority, to power, in preference to the minority. I really do not know what he meant to infer from this argument, whether he meant that the majority was intitled to toleration of their religious opinions, merely, I know not. But if he meant to go the length of contending that they were entitled to situations of power in the constitution of the country for the same reason; I completely deny and deprecate his argument. Is it possible that the right hon. gentleman can contend that, because the Roman Catholics of Ireland form the majority of the population, that they have a right of admission to all offices of state. What connexion or parallel is there between the one and the other? If there is any thing that arises from their opinions to render it impossible with safety and security to the others, to entrust them with the power they demand, I cannot conceive upon what principle of right or equity they can claim a power which must go the length of depriving the minority of their right. I think, therefore, that they are not entitled to the possession of that trust upon the argument the hon. gentleman has adduced, is, in my mind, an undeniable proposition: and, I think the hon. gentleman's idea will hardly be adopted by the House. But, Sir, the question now, as I have stated it, remains to be considered as a question of policy and expediency, and the fair question is, whether there does appear rational ground of danger in conceding what the Catholics demand? I shall consider this matter a little in detail: and in the first place, it appears to me to be very natural in those who live under an establishment which, till now, has always been called and always thought, a Protestant one, to feel a little jealousy of a proposition which tends to remove all those securities, and all those protections, which our ancestors have thought necessary to guard that Protestant establishment. We have been told, indeed, by an honourable gentleman, in the course of argument, that he considered, that it is not now a Protestant establishment; for it ceased to be such in the year 1793, when the law passed in that year, had given some political power to the Roman Catholics, and that, therefore, we were no longer to consider ourselves as existing under a Protestant constitution. But this is an argument which I am utterly unable to comprehend or to follow. If we were to admit it, we must at this moment doubt, whether our esta-

blishment is Protestant—whether this is a Protestant House of Commons—whether we have a Protestant monarch on the throne—and whether, in short, the whole system in Church and State is to be considered any longer as Protestant? Now, Sir, if the proposition, that we still remain a Protestant establishment, cannot be controverted, and feeling myself a pretty sound conviction upon that subject, I cannot but feel a great deal of jealousy at a proposition which goes to admit the Roman Catholics to a participation in the constitution, contrary to law,—contrary to those securities which the wisdom of our ancestors provided,—contrary to the spirit of the original foundation of our state. Therefore it is not unreasonable in us to expect from the gentlemen who argue this question, some proofs to convince us that there is no danger in the concessions they would induce us to grant.

When we talk of the danger that may be apprehended from this measure, they tell us, "it is your business to enquire what the danger is,"—I agree to that; and the bare statement of the case is sufficient, I trust, for our purpose, and to the complete discharge of our duty. We are now a Protestant House of Commons,—we have a Protestant Establishment,—we must have a Protestant King,—we have at present, Protestant prelates,—and the proposition is, that we are to admit the Roman Catholics immediately to an equal participation in all the advantages we enjoy,—contrary to what has been the law of the constitution for ages, and contrary to those provisions, which, for the security of the constitution, our ancestors have provided. Here, then, in my apprehension, is the danger which the gentlemen at the opposite side call upon us to shew as attendant upon the measure of Catholic Emancipation at the present moment.

Sir, the *onus* then, in my opinion, lies upon those who want the alteration, to prove, that the alteration might take place without danger. That there is some danger, even the avowed supporters of the measure are ready to allow; and, what is rather extraordinary, those very apprehensions come from a quarter that one would have least expected. However, coming from the quarter they do, they come with the greatest weight and authority; and the more so as they are espoused by all those who support the question.

The opinions to which I allude, are

contained in the Letter of lord Grenville published two years ago ; and what those opinions are, we all know : for he has published them to the whole world. In that work, the noble lord has specifically stated, there should be some arrangements and securities provided for the constitution before the Roman Catholics could be admitted into the possession of power. This is his pledged opinion to the world, we all know ; and we also know that there were many sound advocates of the Roman Catholics, who at that time felt it to be an object of great importance, that that security should be given on the part of those claimants. I do not mean to say, that the noble lord has altered his opinion ; for, from all that I can collect, he still maintains the same conditions and the same terms, to make it safe to grant these concessions. And yet, Sir, these are the same persons who call upon us to tell them where the danger lies ? Do they not themselves, in admitting the necessity of securities, admit the existence of dangers ? When they tell us that it is necessary to require terms, is it not a manifest estimation that there is danger, unless we secure our society by adequate conditions and terms ?

The right hon. gentleman who has favoured us with his sentiments upon this subject, has told us what his principles are upon this question, in that short, spirited, and eloquent manner which the House could not but admire. He has declared his approval of this proposition upon these principles—that there should be a total absence of foreign influence, and that then there should be no political restraint. Now, Sir, the most remarkable disqualification under which the Roman Catholic is alleged to labour, consists in this very foreign influence : and upon that point the whole question turns. But the right hon. gentleman seems to have contented himself in answering this proposition, by telling us “ that in the circumstances of the Pope being now in the possession of the French emperor, there was no great danger from foreign influence.” Now, Sir, I think quite the contrary : and I think if the case was put on the reasonable supposition, that France through the medium of her vassal, the Pope, would have the appointment of all priests in the Catholic Church, there would be very strong reason to anticipate danger from such a state of things ; because we are not to forget, that although the present Pope

may have resisted the influence of France, we are not to be equally easy with respect to the integrity of his successor ; and, certainly, I, for one, would most strongly contend against the proposition for suffering the Roman Catholics of Ireland to receive their opinions and instructions from a priesthood so appointed. Are we, then, to apprehend no danger from this view of the subject ? I do not mean to say, nor do I mean to suppose, that the right hon. gentleman means to propose concession to the Catholics without securities : indeed I am very sure, the right hon. gentleman himself, would not wish to yield to the prayer of the Roman Catholics without some terms and conditions being proposed. But, I trust it will not be imputed to me that I am unreasonable, when I require of those who are themselves against unlimited concession, and who think that it cannot be done without conditions accompanying it,—that we should require, I say, of them what these conditions are, what they may be, and upon what grounds we shall mutually stand ? Nothing, I think, can be more reasonable, before we are called upon to go into a committee. What are we told, however ?—“ That if those terms be examined—if those guards be investigated—if those guards be deliberately viewed and ascertained, the Roman Catholics will be offended !”

Why then, Sir, if the proposed concessions are to be hurried through the House without examination ; if we are to have no opportunity of calmly deliberating upon the subject, they had better be reserved till the third reading of the Bill, and then tacked to it by way of riders, to prevent those unpleasant but fair observations which must arise upon them.

Now, it is for the House to consider, whether they will listen to such an unreasonable proposition as this ; and whether they can attend to the prayer of the petitioners under such circumstances. It is not possible that the House can suppose, that those who really think that this measure ought to be granted, and think, at the same time, as they say they do, that it must be connected with terms and conditions, that they are not satisfied in their own minds what they should propose. In fact, Sir, no other conclusion can be drawn from the mysterious silence of gentlemen respecting the nature and operation of these securities, but this—they know they have nothing to propose that will either be accepted by the Roman Catholics, or

which will be endured by the Protestants. They must know that this is the case. Have not those hon. gentlemen, who have already lent themselves to this question, done so entirely upon the supposition that something would be proposed? Have they not said, "as far as this goes we will vote for this question, in expectation of having these restrictions on secure grounds?" Has not the hon. member for the city of Dublin stated, that the reason of his giving his vote now, and his formerly withholding it, was because he was now in hopes of hearing what those conditions are? If gentlemen have any conditions to propose, let them name them. But if they have not, it is not a fair proceeding by parliament—by the Roman Catholics—by this House—and by the Protestants. The fact is, that because they mean nothing, they mention nothing. They have no safeguards to propose, and therefore they are silent. It is because those gentlemen opposite have not formed in their own minds any distinct opinion of what it is they would propose, or what they would pledge themselves to, that they are thus silent. All they say is, that this measure would have the effect of conciliating the Roman Catholics, for which alone, it is said, they bring forward this motion. Now, they have tried their hands once or twice with this view, but they have failed. Does any body believe, when lord Grenville says at the time of his communication with Mr. Pitt, and during the number of years that were occupied in the consideration of this subject, and the arrangement of the securities that, in his wisdom, seemed to be best, that the Veto was what he thought would be the most successful? Was it not the Veto that we were to have, and that we were told was to conciliate the Roman Catholics? It is said, we might have had the Veto, (lord Grenville's long deliberated measure,) had we not rejected it, but that we cannot have it now. We rejected it! Good heaven! Sir, gentlemen who assert that, must have only heard their own speeches. They never could have attended to any thing that passed, either in or out of this House, upon the subject. Has it not been rejected by the Roman Catholics themselves? By those very gentlemen on whose behalf the present motion is made. By those very priests and bishops who are petitioning at your bar. Has not the agent of the Catholic bishops and the Catholic people, Dr. Milner, told you, in

terms not to be misunderstood, that he would rather suffer martyrdom than concede the Veto? Has he not told you that it is a measure hateful to every Catholic? Does he not tell you that he meant to concede nothing of the kind? Does he not tell you that the proposition of lord Grenville was a thing, which above all others, no Roman Catholic could at all consent to? He has told you this, distinctly and unequivocally in his letters; and yet we are told that it is we who have rejected the Veto! Perhaps I shall be answered that Dr. Milner is no longer entitled to credit: but be it recollected, that he was thought by them to be worthy of the highest credit, only a very few years ago, and is as much entitled to credit now as he was then. But then, Sir, it will be said, perhaps, that he acted beyond his authority, and without the sanction of those who employed him: that he put himself in a situation in which he had no authority to act, and had stepped beyond his instructions. Why certainly the next thing would be, if he had done so, for those who employed him, to dismiss him with reprobation. But so far from that, they have thanked him for his independent and conscientious conduct, in a public solemn resolution. They thank Dr. Milner for the manner in which he conducted himself; and so far from those bishops who sent him over as their delegate and representative, to express the sentiments of the Roman Catholics; so far were they from expressing any disapprobation of his conduct, that they thanked him publicly for the renunciation of the Veto, in their own and his own behalf. Besides this, the Roman Catholic bishops communicate this to the meeting of Roman Catholics in Dublin, (lord French in the chair,) upon which that meeting enter into resolutions, declaring that they cannot consent to accede to the Veto, explained under the circumstances it was; and every description of Roman Catholics in Ireland joins in declining to accept the Veto, in the manner in which it was proposed.

Now, Sir, after we hear bishop Milner thanked for the zeal and judgment with which he discharged his office; and this, too, after the renunciation of the Veto; and that renunciation afterwards publicly recognized, it is not a little hard to charge us with rejecting that measure.

But, Sir, the hon. gentlemen opposite have another reason why the Veto has

of France and other countries, where the persons concerned in them are entirely directed by French influence—why do they not, I say, go to the fountain head at once? Why do they not go to the Pope himself, and get from him a recognition of abjuration from all those offensive doctrines? But I say, that for one, before you go a single step farther at the present moment, you should be given to understand, that the Roman Catholics are not bound by these general councils which have been quoted by my right hon. and learned friend behind me, (Dr. Duigenan.)

Sir, in the course of the speech of the hon. baronet, (sir J. C. Hippenley,) last night, he desired us to refer to a work entitled, "*Tractatus de Ecclesiâ*" for something that would highly instruct and gratify all who read it. Sir, I have got a *Tractatus de Ecclesiâ*, not indeed the exact one mentioned by the hon. baronet, but a *Tractatus*, published by the printer of Maynooth college and by their authority, under the direction of M. De La Hogue, the professor of theology at Maynooth; and certainly it may be considered as one of the class books of that college: on my part, I introduce this book for the purpose of shewing that they teach the youth of that institution, at this hour, the same obnoxious tenets. The proposition to which I wish to call the attention of the House, is their instructions upon the subject of the general councils. It contains instructions for the youth educated there; and it tells them, among other things, "that councils are infallible." There is no sort of reservation whatever; they are taught to believe implicitly in the infallibility of all those councils. We must understand that the whole of the councils are not specified in the book; but the most prominent points and doctrines of the fourth councils of Lateran and of Trent, are collected together and inculcated on the most doctrinal tenets, without any exception whatever, of the Roman Church. This, Sir, contains the tenets received by the Irish and Gallican Churches. It does not contain merely matters of faith, but also of discipline, and inculcates the doctrine to which I object, namely, the infallibility of those councils. I agree with the hon. baronet, that it is not right or just, in a true spirit of toleration, to fix your opinion and your interpretation upon the articles of faith of any Church; but all I say is, that if the Roman Catholic theologians of

Maynooth do really renounce these obnoxious doctrines, of the fourth Lateran council, and do not abide by these general councils of Trent, and if that is really their sentiment, I say it is not quite fair, nor just by the youth who are entrusted to their education, to tell them, that the decrees of all these councils are infallible; to tell them, that those of this last council are to be the manual of their education. I say, therefore, this appears to me to leave no reasonable doubt, in this point of view, that they have given up none of those obnoxious doctrines. What a different argument there would have been on this subject in favour of the Catholics, if the hon. baronet could have produced a book, in which these councils are contained, and in which the obnoxious parts could have been pointed out for the benefit of the students, that they might know how to avoid those doctrines which were to be considered by their masters as objectionable parts, and to which they should pay no attention. But no, Sir; we have the most objectionable parts picked out, and made the earliest food for the young mind, and the learned theologian then tells them that, "*Itaque maximo impulso illud concilium habere debent omnes clerici, cum ratione Dogmatum sit oculata omnium præcedentium synodorum compendium, et ratione disciplinæ merito dici posset manuale sacerdotum vel eorum qui sacerdoti sunt initiandi.*"

Sir, that the right hon. gentleman, who makes this motion, and that the noble lord to whom he referred, conceived that there was a reasonable influence belonging to priests, over their flocks in Ireland, is fully made out and clearly shewn by what they have referred to—but, for my own part, I do not wish that the House, in estimating this point, should be referred to old times—to monkish ages—to periods when papal supremacy was at its height. I would therefore, with permission of the House, rather refer to a very modern publication, than take advantage of the field of argument, which former times opened to me, to lay before the House my view of this question: but with regard to the influence of the Pope, I wish that the House should be apprised of what were the sentiments in the recent publication of Dr. O'Connor, a person very well known by many gentlemen in this House. He has stated his opinion with regard to the influence of the Irish church on the people, and given much other important in-

formation upon that subject. The House will permit me to trouble them, though I am fearful it will be very tedious, with some extracts upon this subject. I will refer the House in the first instance, to page 95, which begins with letters, after an historical address upon the subject of the fears of people, with respect to foreign influence. [Here the right hon. gentleman read several extracts from the pamphlet of Doctor O'Connor, in which the reverend author had given some free comments upon the influence of the Pope as still inculcated by the college of Maynooth, and with respect also to the spiritual and temporal power of the Catholic clergy. The right hon. gentleman next referred the House to page 114 of the same book, particularly calling their attention to the oath of allegiance taken by the Roman Catholic clergy to the papal authority, upon which point the reverend doctor had also delivered some few opinions.] Now, Sir, this Doctor O'Connor has sustained a vigorous controversy with some of the Roman Catholic clergy of Ireland; and, for his conduct in which, I understand, he has been excommunicated for this identical publication. This, I am told, but whether it is true is really more than I can undertake to say.

Now, Sir, however, from all this, I hope the House will see that there is in this spiritual power of the priesthood, some temporal power; that there is the power of excommunication there is no longer any doubt; that the power is exercised there is also no doubt, because there are two instances of it in the hands of gentlemen; and no man can have any doubt of the extremely mischievous extent to which this power may be carried. We have known if we had any doubt of the existence of it, that juries have given considerable damages against priests for the exercise of this power of excommunication. I do apprehend, therefore, that it is impossible to say, that there is not a temporal power connected with the spiritual; and that they are so extremely mixt, and so intimately blended with each other, that it is impossible to separate them. No man, I trust, will accuse us of being jealous with reason, when we have such authority to justify our jealousies. If the Catholic bishops are to be appointed by the Pope, without any controul whatever from government, it is not easy to see to what extent they may become dangerous agents in the hands of the enemy.

This proposition does appear to me to be sufficiently established by the illustration I have ventured to give from the books to which I have alluded.

With respect, Sir, to the proposition itself relative to the Veto, I am much misinformed, if even it was carried, that it would be productive of those advantages promised by its advocates, in restoring peace and tranquillity to Ireland. I would beg to refer the House to another book which, in my opinion, is strongly illustrative of that religion. I allude, Sir, to a pamphlet published in London by a Mr. Keogh upon this very subject of the Veto; and I wish particularly to call the attention of the House to a comment of his upon the Letter of lord Grenville, which I trust, will shew to the House, that my apprehension upon this subject is at least not unfounded. The following is the passage I allude to. [Here he read the passage, tending to shew that in the opinion of Mr. Keogh it was an absurd notion of the people of England to entertain the idea, that the measure of Veto would be productive of the increased security its advocates seemed to hold out, and that, in fact, it would only produce a temporary tranquillity in Ireland.] This is the opinion, Sir, of Mr. Keogh; and I would wish to ask whether—even if the Veto is likely to afford a temporary tranquillity to Ireland, a lasting conciliation could be effected if you are not prepared to go much farther. What is the argument that I have always heard upon this subject? “If,” say the advocates of Catholic emancipation, “you mean to act rationally upon the subject, your object must be to conciliate Ireland.” If, however, in our zeal for emancipation, we are to overlook every thing except the Roman Catholics; if we are to have no regard to the Protestant establishment, or any regard to Protestant property; if we see no necessity for maintaining a Protestant constitution, why then let us establish the Roman Catholic religion at once; let us put their bishops into our sees and bishoprics without any controul whatever; let us put their priests into our rectories and church livings, and admit their peers into the House of Lords, and then, perhaps, for any thing I know, you may have a chance of conciliating the Roman Catholics of Ireland. But in my conscience, I verily believe, according to the arguments we have this night heard, they would not even be satisfied then; they would not, I am persuaded, stop short, until they had

the complete constitution to themselves. It would not be reasonable to expect that they would stop short there.

I cannot agree in the proposition that we might immediately go forward or backward, as the circumstances of the case may require. Whatever we do, we must do deliberately and without fluctuation in our opinions. The example of 1793 teaches us, that to concede is only to provoke fresh demand. But I cannot agree in the argument "that to be consistent in our reasoning, if the concession of 1793 was right, we must go farther." It might happen that we had done more than was right or prudent for us to do in 1793; but there is no reason in the proposition that because we did something in 1793, whether right or wrong, that we must go on and do a great deal more. I would ask, gentlemen, is there nothing in expediency? Is there nothing that may make further concession inconsistent with the security of the state, or that may excite an apprehension of danger for its safety? "But," say they, "in order to be consistent with the principle you set out on, you must go on farther, and you must concede to them every thing." Now, if we wish to judge of the disposition of the Catholics to be contented with any thing that may be done for them, we must look to the effect of the concessions that have been already made to them. In 1792, so low was the Catholic influence in parliament, that there were no more than twenty-five votes in favour of their Petition; but in 1793, the government of England, acting upon the advice of the government of Ireland, it was agreed, that something should be done for the Catholics. The Roman Catholics never having asked any thing to the extent that was at that time conceded to them, it was naturally supposed that every thing that should be given over and above their hopes or expectations would be received as a boon. It was thought that by giving something more than was demanded, or something more than they expected, or had a right to ask, you would conciliate their affections and make them contented and happy. But, Sir, when you find that this experiment has been tried and has failed; that instead of producing conciliation, affection, and contentment, those very concessions are now employed as an argument for extorting more. When you find that the franchise of election at one time is said to be the immediate means of restoring tran-

quillity and contentment, and that by giving that, we should gratify all their views and hopes of ambition; and that they would at least be conciliated and contented; and when an hon. gentleman contends, that they have a right to an establishment of their own, because they have the majority on their side. [Mr. William Smith, "that is not my argument."] But does the hon. gentleman expect that when you give them the means of attaining the highest professional honours they will be contented?

Does he think that, having that majority of the population of Ireland on their side, that they will be content without an establishment? The very situations which you would open to them by the further concessions now demanded, would be received from you by an acknowledgment that you gave them no more than their right. And does the hon. gentleman conceive that with such a persuasion in their minds, they would not be disposed to consider that all places and appointments kept from them were situations of which they had been deprived by us? There is not a bishopric or a bishop's see in the kingdom, for which we should not have a rival Roman Catholic candidate for a share in the emoluments, because they would naturally conceive that they were as much entitled to receive them as the Protestant hierarchy of this realm.

Then, do you suppose, that they would be content with any thing short of a full and complete participation in all the advantages of the British constitution both in Church and State? Under these obvious considerations, it is therefore really vain to imagine that you can conciliate the Roman Catholics without absolutely changing and displacing the proprietors of all church preferments and livings in Ireland of their interests in the establishment. I really and conscientiously feel that, with any thing short of this, they will not be contented; and I will go farther in this argument, for according to the Roman Catholic religion, the commandments of which must be kept sacred with the persons of that persuasion, the eighth commandment of that Church says, "That the tythes shall be paid only to their lawful ministers." Therefore, Sir, under these circumstances, and according to the argument of majority, that Church ought to be provided for; and it is preposterous to suppose that any thing short of that will satisfy them.

The hon. gentleman opposite seems to think, that you cannot but provide for the Church of Ireland without a breach of the Act of Union: and when a right hon. gentleman calls upon me to renounce any opinions I gave formerly that do not stand in the way of the Union, except as it destroys the Church of Ireland, I do contend that the robbing of the Protestant Church of its tythes would be a complete breach of that article of the Union, for the result of the proposition now made, and the consequences of what is now demanded would undoubtedly go to the extent of violating the articles of Union. An hon. gentleman thinks that they would be contented with mere concessions to the laity. Now, Sir, from past experience, and from considerations of human nature, but more particularly of the tenets of their persuasion, I think I am warranted in denying that proposition. If the principle of farther concession is at all admitted, the consequence must be that you must go to the extent of this reasoning, and eventually to the extent of the concessions I have stated. I have already stated, Sir, that I conceived the House to be a little wanting in knowledge of the Roman Catholic disposition, if they think that the power that has been already given to them, and which it is now proposed further to extend, will produce either conciliation or contentment. I know not whether the House is aware of the fact; but there are seven or eight counties of Ireland, in which the Catholics have been agreeing to Resolutions respecting the manner in which they will confer their votes upon their representatives in parliament. Those Roman Catholics have come to a resolution of this effect: at least it is the substance and spirit of the resolution—"that they will not vote for any member of parliament who shall be disposed to support any government that will not admit them to the benefits of the constitution, which they conceive to be their right, as British subjects." Now, I wish to know, whether gentlemen consider that as a proof of Roman Catholic forbearance? Is it not an additional fact that those men will stop at no boundary, but will proceed to the utmost extent that their ambition may incline them to? You have here these men determining to exercise their elective franchise in a way which certainly bespeaks no great degree of conciliating humility. They have determined by a solemn resolution to which they have bound them-

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selves, not to return any member to parliament who will not grant what they require. Do gentlemen then imagine, that if Catholics have the power of sending to parliament any whom they like, whether a Protestant or a Roman Catholic, that the Protestant landlord will be returned in preference to a Roman Catholic? Do they believe that they will have no interest in using every exertion to support a member of their own persuasion? This circumstance shews that such would be their feeling. Why then, Sir, when they get into parliament, will not the next and natural step be, that they will not vote for any man who will not insist upon having a Catholic establishment? Can we then, Sir, be justly charged with unreasonable jealousy and suspicion, when we see such resolutions as these passed by the Roman Catholics? If Protestants were to enter into resolutions not to vote for any member of parliament who would support Catholic claims, what then would be said of us? They would find no terms of reproach too strong to mark such conduct. Then, Sir, I would ask, is this the way of obtaining conciliation? Is this the temper that is likely to produce any conciliation between the Roman Catholics of Ireland and the Protestants of this country? I say, it is directly the reverse.

I very much doubt the policy of the right hon. gentleman in alluding to the Petition of the petitioners on the table, especially under the circumstances in which they have been obtained, and drawing from the number of them in favour of Catholic claims, and the paucity of those against them, an inference indicative of the present favourable opinion of the British public towards the Catholics of Ireland. I deny the soundness of that reasoning. Is it to be inferred, because there are not any counter petitions on your table, that therefore the Protestants of England are desirous of seeing the Petition of the Catholics granted? So far from that being the case, that, in my opinion, if half the pains were taken to procure counter petitions that were taken to procure Petitions in favour of Catholic claims, you would have your table loaded with such Petitions. It is my opinion that the Protestants both of England and Scotland are by no means disposed to concede the Catholic claims; and if they have not manifested any spirit of open hostility towards the Catholics, it is hardly fair by them to imply from their silence, that

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they are convinced of the justice of the Catholic claims; because, I am persuaded, that if the experiment was tried, you would soon find that silence breaking into one general voice of opposition.

It has been charged in the course of this debate, that to prevent the effect of the Catholic Petitions, only one counter petition has been presented from all Ireland, and that from the corporation of Dublin, procured by the influence of the Irish government. It is true, that there is but one counter petition from Ireland, and that from Dublin; and it may therefore be supposed that the Protestants of Ireland, in general, have very much altered their sentiments upon this subject; but I cannot consent to consider that the absence of Petitions from them against the Catholic claims is a manifest proof of their approbation. I think, therefore, the allusion to the Irish government upon this subject is hardly candid; because, I do not hesitate to say, that if any exertions had been made on the part of the Irish government, if they had been desirous of calling forth the sense of the Protestants of Ireland upon the subject, they would have found no great difficulty of shewing that Catholic claims are by no means so popular as some gentlemen from Ireland would contend. But I am persuaded that the House, in its justice, will think directly the contrary of this proposition, and that they will think that the exertions of government, whatever they have been, have been made rather to silence and keep down in that country every proceeding that might have an unfair influence on the decision of the Catholic Petitions. What the opinions of the Protestants of Ireland may be, I have no means of knowing, but by communications with the gentlemen of that country; and from them I learn that it is contrary to the truth that there is any thing like a general feeling among the Protestants of that country in favour of these Petitions. It is true that it has been represented to me on the part of those gentlemen that there is not an universal hostility to the Catholics. That this Petition in their favour, which is called the Protestant Petition, is respectably signed, I have no doubt. But, on the other hand, I am convinced, that there are a vast number of respectable persons of property who entertain their objections to it amongst the Protestants of Ireland, there are many, and many who are not disposed to give their consent to this subject.

But, Sir, what I conceive to be the great and leading ground of opposition to this question, and which influences me in speaking of this proceeding, is the danger which I conceive must attend concession. Not, however, by any violence, not by any act of force, not by any rebellion, nor by any clamour which might be apprehended as a consequence; but the danger I apprehend is that of giving to the Roman Catholics additional political power, which would raise in their minds the ambitious desire of converting the establishment of Ireland into an establishment of their own. That is the great ground upon which I oppose the question; and when it is proposed as an inducement for me to consent to it, that it would produce the effect of conciliating all parties in the country, I confess I am not so sanguine in my estimation of the subject. I cannot give my consent to it upon the clearest conviction, that concession would have a quite contrary effect. I am persuaded that if there could be any thing more likely than another to excite religious animosity, to bring the situation of Ireland to a state of disaffection and discontent, it would be to bring the Protestants and Roman Catholics much nearer together in political power. To give to the Roman Catholics of Ireland equal privileges with the Protestants, would be, at once, to establish a preponderance of Catholic interest in that country, which would not fail of destroying the foundations of Protestant security.

My learned friend, (Sir Samuel Romilly,) has talked of Silesia as an example for our imitation in respect to the Roman Catholics of Ireland. He says that the Roman Catholics of that province were confirmed by Frederick in the enjoyment of their constitutional privileges. But the parallel in this case does not at all hold. The province of Silesia was entirely a Roman Catholic province. There were no two conflicting establishments and different religions in that province; and beside their numbers being infinitely less, in comparison to the religion of the state, there was no danger in leaving them without any disabilities, to enjoy the privileges of their peculiar establishment. But if you were to do the same by Ireland, under the present circumstances of the times, and in the same manner, you would manifestly endanger the security of those who are in the minority. It might have been done in the earliest times of the constitution,

when that country was wholly Catholic; but since the Revolution there has been nothing like a preponderance on the part of the Protestants, which could enable them to give the Roman Catholics any thing without fear of danger to themselves. The case therefore of Ireland is quite different from that of Silesia. If you were to admit these claims in the present situation of Ireland, do you suppose that they would not, (being the more powerful party,) lay claim to that property now in the possessors of the Protestants, upon the ground of their being the original native possessors of the soil? I submit, therefore, that the case of my hon. and learned friend has no sort of reference to the present one. The principle to which I have been last alluding, is the one upon which I feel it my duty to oppose the motion.

There is one argument urged on this occasion to which I decidedly object. I mean the argument which says "that if you do not grant me this now, you will never do it." My opposition, however, is founded entirely upon present circumstances. I do not say, that because emancipation is not granted now, that therefore it never will. I think there are strong reasons for a contrary opinion. It appears to me from these very papers that lie on your table, that there is a great movement in the Catholic mind itself. Who can predict to what that movement may lead? I know not what changes may take place in the present circumstances of the Catholic question. They may discard the power of the Pope altogether. I know not what effect might be produced by that. They may do much to induce me to alter my opinion; but I must see what these facts are that would justify that alteration before I can decide. I must wait to see what these effects will be before I can talk upon the subject. But when it is stated that it is impossible ever to concede, and that this exclusion is to go on for all eternity, I utterly deny the justice of the assertion. I cannot conceive, when I reflect upon the learning and talents of the people of Ireland, that no change will ever take place in their opinions upon this subject, of themselves, which may induce me to consent to it. I look forward to the time when that change may take place; not, however, that it will be effected by any force or heat of party feeling, nor the violence of power, but by learning, by knowledge, and increased liberality of feeling and spirit; and when

I see what learning, what knowledge, and power of mind these people have shewn in exerting themselves on this great question, I am persuaded, that if this talent and that mind be fully and fairly applied to the examination of the question between us, that there are great hopes to be entertained, that in this state of the world there may be an alteration of great effect upon their minds.

Is there any thing bigoted or intolerant in this? Certainly, it implies a sanguine judgment in me; and certainly, to my mind, it does appear that on a fair, rational, and candid examination of the doctrines of the Protestant religion, that religion is to be preferred by a rational mind to the Roman Catholic. I do therefore repeat, that I do expect, that I do look forward with confidence, indeed, I have no manner of doubt that a considerable change in a very short time will be effected in the Roman Catholic mind of Ireland; and I cannot conceive but that the state of the world is extremely favourable to the change. I cannot conceive that all those revolutions that have passed, that are still passing; that have been shaking—and are still shaking and disturbing the Roman Catholic religious establishments of Europe, will be productive of no effect upon the Roman Catholics of Ireland. I will not believe that the removal of the Pope from his temporal power will have no effect. I think it will have the effect of opening their eyes, and awakening their understandings to the examination of a question of so much vital importance to their interests and the interests of the British empire. I think the manner in which they have gone on for some time past, is but the harbinger of that revolution in their minds, which, I trust, will speedily take place. Out of these circumstances, I think it would be reasonable for the House to look speedily for an event which would lead to the determinate conciliation of this question upon terms consistent with the safety and solid happiness of the British empire. I think no man ought to despair of what may be the effect upon the Roman Catholic mind in Ireland. But till I see what the effect of these revolutions is upon that mind, I cannot form any conclusive judgment upon the subject. I cannot, however, but express a hope that there is a great opening in the Catholic mind; but whether that is so or not, considering this subject conscientiously, with a view to the secu-

rity of the constitutional establishments of this country and of Ireland, I cannot, under the present circumstances, vote for this question. It does not appear to me, that while the Roman Catholics continue to entertain a foreign influence in a manner distinctly from ourselves, and professing a religion claiming possession of all the ecclesiastical property of Ireland; it does appear to me, I say, a proposition pregnant with danger to our establishment, and to meet which no sufficient argument has yet been offered, or that could induce me to relinquish any one of those conscientious grounds upon which I am hostile to the Catholic claims.

I have endeavoured to abstain from every thing that could be calculated to excite irritation; and I have given my opinion with as little animosity as I trust any man with my sentiments can be found to deliver himself upon such a subject; and I hope that no man will suffer himself to give way to more warmth of feeling than it shall appear that I have done. I am not actuated by the least feeling of hostility in my mind towards the Catholics of Ireland. It is unquestionably a most painful situation for the person who has to conduct the measures of government, to perform public duties which he knows must necessarily give pain to any description of his Majesty's subjects. I can assure the House that I do not harbour the slightest feeling of hostility against them. But the person who has the honour to be at the head of the government, cannot but experience a painful reflection that his views and opinions as an individual must be against the wishes of any numerous class of his fellow subjects, on a great state question like the present. I may be supposed to be influenced or affected by feelings of personal hostility. For my own part I feel none. There is no act of charity or kindness that I would not be glad to confer, most unfeignedly, upon a Roman Catholic as soon as a Protestant. I have no sort of feeling of hostility whatever towards them. This is sincerely the language of my heart. But I do most powerfully and strongly feel, that at the present moment, it would not be safe to confer more political power upon the Catholics; because in conferring more, you would only increase and raise their expectations of obtaining still further concessions; and I cannot help thinking that the reasoning and arguments of those hon. gentlemen who have advocated their

cause, have led them to expect concessions which could not be granted, and to excite expectations which have no sufficient reason on their side to support them.

Sir, if we were to accede to what is now demanded, I should next expect seriously, in a few years, when the subject had been more matured, to hear it proposed, that the Irish bishops of the establishment having first generously made over for the maintenance of the Irish Catholic clergy, one half their ecclesiastical property, were ready to make further proposals, with a view to that purpose, and for establishing them in a manner suitable to their rank and consequence, and submitting such a plan for his Majesty's approbation.

When this is done, and not before, we shall have some chance of creating a change of mind capable of bringing about this happy reconciliation.

Under all my views of this question, Sir, after having given it the coolest consideration in my power, and looked at it in every point of view, and without warmth, it is not too much to say, that I should dread the effect of further concession, would be tending to raise the expectations of the Roman Catholics, and without tending to conciliate, we should only raise to disappoint.—I must therefore vote against this question.

Mr. Whitbread.—Sir; notwithstanding the lateness of the hour, I feel it impossible to give my vote upon this question without making a few observations on some of the extraordinary arguments which we have heard from our opponents, in resistance to the motion of my right hon. friend; and therefore I claim the indulgence of the House, promising to trespass upon their attention as briefly as possible.

Sir, I hail the approaching triumph of the Catholics of Ireland. The speech which we have just heard from the Chancellor of the Exchequer is most satisfactory for them. He who has hitherto carried the blazing torch of intolerance, seems inclined that at least the flame shall burn more lamently. He, even he, does not despair that the time may come when the Catholics may enjoy "the consummation so devoutly to be wished." But, Sir, the right hon. gentleman has charged my right hon. friend, who brought forward the present motion, with having changed his original ground, in moving for a committee to enquire into the state of the laws imposing civil disabilities on the Catholics,

instead of coming forward with a direct motion to grant their claims; and this by way of manoeuvre, *ad captandum*, in order to obtain greater support to the cause of which he is the great advocate. Surely the right hon. gentleman must know, that this is the only mode of proceeding which the forms of the House will allow my right hon. friend to pursue. It is impossible for him to make any proposition involving a change in matters of religion, without moving in the first instance to refer the consideration of the subject to a committee of the whole House. The right hon. gentleman, with all his influence and authority, had he been placed in a situation similar to that of my right hon. friend, must have adopted a similar course. Sir, the right hon. gentleman has said a great deal on the subject of introducing into our debates the name of the sovereign. I am well aware that it is not consistent with parliamentary order to use the King's name in the debates of this House. I admit the rule to be perfectly constitutional. But, has not the right hon. gentleman himself frequently violated this rule, more especially when the present subject has been under discussion? Has he not frequently opposed to the claims of the Catholic petitioners the scruples of his Majesty as the principal barrier to all consideration of those claims with any hope of success? But he now deprecates any such introduction; and he tells us that to use the name of the Prince Regent, the immediate representative of the king, is equally inadmissible, because it is equally calculated to influence the deliberations of parliament.

Sir, it may not be parliamentary to mention the name of the Prince Regent, but surely there can be nothing unparliamentary or improper in referring to the declared opinions of the Prince of Wales. Of the opinions of the Prince Regent, we can certainly know nothing in this House. We can form no judgment of that opinion, except by what we know of the sentiments of those whom his Royal Highness has chosen as his ministers. But who does not know the hopes and expectations that were held out to the Catholics by the Prince of Wales? To him they looked as to the polar star of their wishes. The day of his accession to the sovereign authority they contemplated as the auspicious era of their entire liberation from the remaining links of those galling chains, under which they had groaned through so many years

of sorrow and degradation. No one can doubt that when this era arrived, the expectation of the Catholics was justly raised to the highest pitch. Unhappily, nothing but the most bitter disappointment has followed, a disappointment without ground or justification.

The Catholics had a right to cherish the hopes which they entertained. The opinions of the Prince of Wales towards them had been not only not concealed or disguised, but they had ever been ostentatiously displayed. It would have been an affront to his Royal Highness not to have known that he was the protector of the Irish Catholics and the favourer of their claims. His sentiments had been too frequently recorded to be mistaken. Besides, there were so many concurrent circumstances to render it easy for him to carry his professed wishes into execution. The prejudice which had so long and so generally existed against concessions to the Catholics had been so nearly dissipated. The almost unanimous acquiescence of the Protestant community in these claims had been made so manifest—the active benevolence of several ecclesiastics of the Protestant Church, had produced an impression so favourable to the Catholics—the petitions from the Dissenters of all denominations, which I had the honour to present, spoke so strongly in their cause—the acknowledged tranquillity of Ireland afforded an opportunity so advantageous for this act of grace—and the critical situation of the empire at large called so loudly for it—that the Catholics are not liable to the charge, of having indulged too fond a hope on the occasion. In this hope they were confirmed by the knowledge, that they had in their favour the opinion of all the persons worthy to be dignified with the appellation of the statesmen in the country, with the exception of two. Alas! these two, by some unaccountable fatality, have been selected as the ministers of the Regent. At this time the council is presided over, and the treasury administered by the only two men who could have been found to fill those situations, and to vote against the motion of my right hon. friend! Is it wonderful that those who have any feeling for the honour, for the character, for the future fame of the heir apparent, should deeply regret that in the discharge of the high functions which he is now called on to exercise, he should have placed himself in the hands of men who have avowed themselves to be the strongest opponents

of the promises and declarations of the Prince of Wales, and the just hopes and expectations of the Catholics of Ireland? In vain do we seek for the cause of the choice which his Royal Highness has thought proper to make. Were these persons the early friends of his Royal Highness's political life? By no means. Have they been the participators of his convivial retirement? Until very recently they have been strangers to him. Have they conciliated his Royal Highness's affection or esteem? On the contrary, it is said that one of them has endured the severe reproach of his Royal Highness for the manner in which, by his conduct towards him, both in public and in private, he has sensibly wounded his dignity; and has not the other been always supposed to be any thing rather than a favourite with his Royal Highness? Yet into such hands has his Royal Highness consigned the government of this country; a government the whole influence of which is now exerted against any concession to the Irish Catholics. If, therefore, the result of my right hon. friend's motion should be unpropitious to the Catholics, let them not despair. They must be aware on what their fate depends. For many years their attempts at emancipation have been obstructed by the person administering the high functions of government. Thus, and thus only are they obstructed still. All the other difficulties which were in the way of concession, have been conquered: this alone remains. From the crown—and from the crown alone, proceed the obstacles. The Regent has but to will, and the thing is done—he has but to will, and he will again be the idol of Ireland—he has but to wait, and the time will be for ever gone! Such is the actual state of the case. The recorded vote of the other House of Parliament proclaims it. The vote of this House to-night will I have no doubt confirm it, for who can suppose the influence of the crown not to extend so far as to decide the opinion of half the number, of which the majorities of both Houses are composed? It is fit that Ireland should know this: it is fit that the Catholics should feel that their fate is in the hands of the sovereign power. If the Catholics, in ignorance of the strange events which have occurred within the last two months, had asked, who held the sovereign power, the answer would have been “*Ecce quod optanti.*” The Prince of Wales—the protector of the Catholics—the encourager of their

hopes, the defender of their claims.” This joyful intelligence would have excited in their breasts an enthusiasm approaching to madness. They would have been all confidence, all rapture,—all delight: Strange reverse! how astonished, how overpowered would they have felt, had they suddenly been told, that from the very source of all their hope, proceeded the sad assurance of their disappointment! And at what a moment do the ministers whom the Regent employs give him this pernicious counsel, which may shake the very foundations of his father's throne! At a moment when the country within is agitated by discontents, the result of the total stagnation of commerce and manufactures;—at a moment when an enormously expensive contest rages without, of the termination of which these ministers themselves admit that not a ray of hope is visible—at a moment when a new war appears on the eve of breaking out, the proclamation of it having been already issued by the Regent's declaration from Whitehall;—at a moment when the maritime force of our enemy is increasing to a scale which we have formerly been told could be the result only of peace;—at a moment when the apprehension of approaching scarcity over-spreads the land;—Gracious God! Sir, at such an awful moment do we find, from the speech of the right hon. gentleman and from the speeches of those by whom he is supported, that the affairs of this country are placed in the hands of men, who, simply on the ground of a difference in religious faith, advise the Regent, by the rejection of their just claims, to hazard the revolt of four millions of his subjects, after the repeated proofs which they have given of fidelity and affection for his person. They shut their eyes to the situation of the country, but they open them wide to some paltry publications which have fallen in their way, and affect to justify their own conduct by quoting extracts of pamphlets (read scrap by scrap, and without the context) as if they spoke the language of the Catholics of Ireland; in order to throw an odium upon that loyal and respectable body. They set at naught all the declarations, all the oaths, and all the other irrefragable proofs that stand in evidence of their unshaken loyalty, and undeviating attachment to the constitution! And then, Sir, who are the authors of these books and pamphlets on which so much stress has been laid? Several of them are anonymous. One of them is

written by a Mr. Keogh, a young man heated by the ardour of youth, perhaps irritated by personal disappointments, but certainly not representing, and not accredited by the Catholic body. And yet this is one of the authentic documents on which we are called upon to form our estimate of Catholic principles, and to reject all enquiry on the subject of the Catholic pretensions! Sir, when the right honourable gentleman comes to talk of petitions, he never directs your attention to the north or to the south. He takes care never to advert to the petitions from the Protestant landed interest of every province of Ireland in favour of the claims of their Catholic brethren. He takes care never to advert to what is equally strong with any Petition;—the total and acquiescent silence of every Protestant corporation and community in the United Empire, (with the exception indeed of the Universities of Oxford and Cambridge, and the corporation of Dublin, respecting all whose Petitions I shall say something by and bye.) You are told that the great body of the Protestants of Great Britain are alarmed, and are decidedly averse from all further concessions to the Catholics. In support of these sentiments and to shew the foundation of these fears, the Chancellor of the Exchequer takes out of his pocket a book, from which he reads to you opinions and tenets which he says have been formerly entertained, and held at some Catholic college; and he adds to these a number of extracts derived from a controversial pamphlet written by a Catholic clergyman—a Dr. O'Connor, neither acknowledged by nor connected with any Catholic authority civil or ecclesiastic, and for which work I understand the reverend author is at this very moment, under the censure of his superiors. Such, Sir, are the grave authorities upon which we are to be dissuaded from going into any enquiry into the Catholic claims. Still, however, as if to goad those whom you have made desperate to actual madness, you mock the Catholics by telling them it is not quite impossible the time may arrive for the consideration of their claims. The right hon. gentleman tells you, that when the Catholics desert the Pope—that is, when the Catholics cease to be Catholics,—then, and then only, shall their claims be entertained. Why, Sir, if the Catholics, deserting the see of Rome, were to abandon all submission to the spiritual authority of the Pope, they would be gathered among the

number of Protestants, and there would be all necessity for discussing the subject now before us. Another right hon. gentleman, (Mr. Yorke,) says, that in the year 1791, he was of opinion some indulgences ought to be granted to the Catholics, but that he has since changed his mind, and that he will not now consent to any concessions to them until they agree to choose an Irish Pope. The House will judge of the probability of such an event; and will thereby estimate the degree of decorum with which the subject is treated by this right hon. member of the administration; the determination taken by the right hon. gentleman is of the same complexion as that taken by his colleagues on another branch of their policy,—they risk the commercial ruin of their country, rather than repeal the Orders in Council before Buonaparté shall, after their formula, have revoked his Berlin and Milan Decrees. The right hon. gentleman has endeavoured again to excite our fears, and to persuade the House, there is great danger to be apprehended from the Irish Catholics, because the present Pope is in the power of Buonaparté. But how is the power of Buonaparté over the Pope exercised? Thus,—Buonaparté detains his body in prison, because he cannot subdue his mind, and render him subservient to his will. Can the right hon. gentleman persuade the House that the Irish Catholics are dangerous, because the spiritual head of their Church prefers the strictest confinement to the prostitution of his spiritual power to the commands of his gaoler! This is what the right hon. gentleman calls “having the Pope in his power;” and it is on this ground he declares the venerable Pontiff to be dangerous, when he is suffering a spiritual martyrdom to prove, he will not make his spiritual power the instrument of the political purposes of the emperor of France. The right hon. gentleman has happily added, that even if there were no danger to be apprehended from the influence of the present Pope, who could answer for the conduct of his successor? Sir, in order to dissipate all the terrors of this bugbear, I refer you to the solemn declaration of the Irish Catholic bishops published in 1810, in the following words:—“That if the present Pope shall die in prison, or under the controul or coercion of the ruler of France, they will never acknowledge any other Pope, unless he be canonically elected according to the rules of the Roman Catholic Church, free and

independant of all foreign controul."—This, Sir, is I think a sufficient answer to the question of the right hon. gentleman. The right hon. gentleman next talked of elections in Ireland, and of the influence which the Catholics threaten they will exert, not to have returned any Irish members to the next parliament but such as are friendly to their claims. Sir, this is the very game played by the ministers themselves on no very remote occasion. They propagated the cry of "No Popery," and endeavoured to persuade the elective body not to return any representative friendly to the Catholic cause; the principle is not new,—can they quarrel with its application, warranted as it is by their example? The truth, however, is, that ministers feel exceedingly sore because the Catholics in one or two counties of Ireland have at their public meetings resolved not only not to vote for any candidate who will not pledge himself to support the Catholic claims; but also not to vote in support of any administration, of which the present Chancellor of the Exchequer shall be a component part, because they know him to be the bar, and the only bar, to the removal of their disabilities. Really, Sir, if such a Resolution had been adopted by the Catholic constituency in every county in Ireland, (and the transaction is stated to have occurred only in a few of the counties) it could not be matter of surprize, or blame, that the Catholics had resolved to use the sole political influence in their power exclusively in favour of their friends, and in hostility to their avowed and determined enemies? Is it wonderful, after the promises they have received, and the confident expectations they have been taught to entertain in the event of the Prince of Wales coming to the first office in the state, that under the severe disappointment of those sanguine hopes, the Catholics should thus mark their feelings towards that person whom his Royal Highness has selected as his prime minister and who now stands forward as the only obstacle to their wishes? (A cry of "No, no"—from the Treasury benches.) Is there any man who hears me, that can doubt, that if that right hon. gentleman would only hold up his finger, the motion for a committee would be carried this night? Oh!! I am sure that if the votes on the division were examined, it will be seen who they are that will form the majority against this question—the situations they hold, and the expectations they en-

tain, will sufficiently evince whether their repugnance to enter into the consideration of the claims of the Catholics is the pure result of unbiassed judgment, and honest conviction. Sir, I repeat, that his royal highness the Prince Regent has chosen for his prime minister the man who is the principal bar to the wishes of the Catholics.

Sir, the right hon. gentleman tells us, that he sees a great movement in the Catholic mind, which at some future period may render it less unadvisable to admit them to the enjoyment of political power. I ask him where he now finds that backwardness of mind and talent in the Irish Catholic any more than in the Irish Protestant community, which unfits the Catholics at this very moment from filling with honour to themselves and advantage to the state, any of those high offices to which they aspire? In what situation of life have their intellectual powers, by comparison with those of their opponents and oppressors, been proved so inferior as to warrant their exclusion from all situations of great trust and confidence? Sir, while I am on this part of the subject, I wish to advert to what fell from an hon. and learned gentleman, (Mr. Owen,) last night,—I wish to call the recollection of the House for a few moments to the strain of the

"——high born Hoel's harp."

That hon. and learned gentleman,—I am sorry I do not now see him in his place, told you that there was a moral incapacity in the lower orders of the people of Ireland, to rise to those important offices to which the Catholics aspire. Sir, I cannot boast with that hon. and learned gentleman of descent from an illustrious ancestry; but, Sir, were he here, I should be glad to ask him, whether we were to attribute the choice speech with which he favoured us last night, to the effect of superior birth, or to native intellect? I should be glad he would prove to me the moral incapacity of any class of his Majesty's subjects to fill any situations to which natural talent and great acquirements may raise them,—independent of the adventitious circumstances of high birth, and illustrious progenitors. Argument there can be none on this subject. There may be assertion, but however strong it is unwarrantable, unfounded, and contradicted by all history. I was astonished to hear such a declaration from the lips of a man of the ability, education and liberal pro-

fession of the hon. gentleman. Born and living under the happy constitution of this country, of which it is the characteristic distinction, that any man, however humble in origin, may by the exertion of his talents and the display of his virtues rise to the highest offices of the state. Does the hon. and learned gentleman draw his conclusion from general observation, or from the observation of the Irish character alone? If from general observation it is entirely false. Poets have sung and historians have recorded his refutation. If we turn over the annals of our own country we see the names of Cromwell, Wolsey and others of former times; men of the lowest extraction, but raised to eminence by the force of their extraordinary talents. If we advert to recent periods, who that reflects on the extensive literary acquirements of that inimitable genius the late professor Porson, to whom even a Parr could deign to concede the prize of scholarship, will venture to maintain that by birth, however obscure, a man can be incapacitated from reaching the heights of fame! How beautifully does Gray contradict the assertion of the hon. and learned gentleman, when in pondering over the records of the dead, he states the probability that opportunity alone had been wanting to have enabled many of the lowly villagers to obtain in their time monuments in the temple of fame,

"Some village Hampden, that with dauntless breast,

"The little tyrant of his fields withstood,

"Some mute inglorious Milton here may rest,

"Some Cromwell guiltless of his country's blood."

Sir, it is our boast that to England the assertion of the hon. and learned gentleman will not apply.—It is my boast that to England the assertion of the hon. and learned gentleman will not apply. To those who live under a free government it is inapplicable, unhappily the case is the reverse in despotic countries. We have seen a terrible example of this in our own times—we have seen in a neighbouring nation the dreadful effects of the efforts of those who were compelled to break their bonds, before they could shew their powers, and we have witnessed the convulsions that were the consequences of their original exclusion from a participation in the privileges of their countrymen. But, perhaps, the hon. and learned gentleman may protest against its being considered that his assertion was general; he may wish to

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confine it to Ireland and to Irishmen. What, Sir, have Irishmen even of the lowest order no talent? Is not talent indigenous to the soil of Ireland? Is not Irish talent proverbial? Does not talent flourish with the shamrock in every vale and on every mountain, in every field and mead of that delightful country? I remember in the early discussions upon the Slave Trade it was said that negroes had not the same intellect as Europeans, and therefore ought to be enslaved; but little did I expect to hear it asserted that Irishmen had not the same intellect as Britons, and therefore ought to be restrained.

God's Image disinherited of Day
Here plunged in mines, forget a sun was made.
There beings deathless as their haughty lord
Are hammered to the galling oar for life,
And plough the winter wave, and reap despair!

Such is the doom which the hon. and learned gentleman would pronounce upon the lower class of the people of Ireland, such the seed he would compel them to sow, and such the harvest he would compel them to reap. Sir, in our conduct to the Irish Catholics, there is something very like insanity. We profess to be afraid of them. We dare not admit them to our fleets and armies. We cannot trust them as counsellors or commanders. But our practice is in palpable contradiction to our affected alarm. The ranks of that army now led so gloriously by an illustrious chief, who if he has yet failed in altogether securing the peninsula from the possession of the enemy, has failed only because such an achievement seems impracticable. The ships of that navy which triumphs every where over the fleets of the foe, is yet from unavoidable causes unable to prevent the silent and gradual, but not less certain growth of his maritime strength—those ranks and those ships are filled with Irish Catholics. At the instant I am speaking is not this Great Britain overspread with the Irish Catholics in consequence of the interchange legally effected by the proposition of these ministers themselves of the militias of the two countries? Are not our naval arsenals garrisoned by Irish Catholics? Are not your prisoners of war guarded by Irish Catholics? Are not then Irish Catholics fighting your enemies abroad, and fulfilling at home the various trusts which you have so justly reposed in them? It cannot then be true that you are under any real apprehensions respecting the Catholics. On the contrary

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their loyalty is so tried that you dare ill use them, and yet confide in them.

Sir, the Chancellor of the Exchequer has told us that the Irish Catholics have free liberty for their own mode of worship, which is all they ought to have. I deny the fact. In the army, the Irish Catholic soldier in Ireland may worship God according to the forms of his own religion, but the instant he transfers his services to Great Britain—for your defence—he forfeits that privilege, and becomes obnoxious to the penalties of the law.

When the Bill for the interchange of the militias of the two countries, was in its progress through this House, and a clause was proposed to exempt the Irish Catholic militiaman from the operation of the penalties attached in this country to the exercise of his religion, that clause was resisted; and we were told that the purpose would be answered by an order issued from the Horse Guards, to dispense with the observance of the law in this respect; so that the Irish Catholic soldier or officer in England, enjoys the exercise of his religion as a matter of indulgent regulation, revocable at pleasure, and not as a matter of undoubted legal right. It has been said, Sir, that this question has been so often before debated, that nothing new has been advanced during the whole discussion. This cannot be asserted by those who heard the powerful speech made by a noble lord on the other side of the House (lord Binning) in support of the motion of my right hon. friend. Can it be made by those who heard the able refutation which proceeded from my noble friend behind me (lord Milton) of the arguments of the learned and right hon. gentleman (Dr. Duigenan) who spoke early in the debate? In the van of the anti-Catholics once more appeared that learned doctor. His substitute, (Sir J. Nicholl) seems glad to have escaped, and to have withdrawn his vicarious back from the chance of a second chastisement from a right hon. gentleman on the lower bench (Mr. Canning). The learned doctor was received, like a general returning to the head of his brigade, with the loudest acclamations of his troops. He repeated his old assertions. He produced his old effect. How gratifying did the speech of the learned doctor appear to the Chancellor of the Exchequer! How he hung upon his accents! How delightful, Sir, it would have been to the Regent to have heard the learned doctor speaking, and his prime

minister applauding every word that he uttered, applauding himself too, and exulting in his choice of a privy counsellor for his sovereign! But I will leave the learned doctor to travel hoodwinked round and round the same circle of absurdity, in which for so many years he has been moving, and I will proceed to the more pleasing task of enquiring whether, among the defects in point of novelty, of which the supporters of the Catholic cause are accused, is to be enumerated the speech of my young and hon. friend behind me (Mr. Vernon) whose able exertions in support of that cause, if equalled within these walls, has rarely, indeed, been surpassed. His speech has done him immortal honour: if he proceeds in his parliamentary career as he has begun it, he must soon obtain a decided preponderance in this House. How will the grateful hearts of the people of Ireland rejoice to find so powerful, so animated a defender—in the son of the archbishop of York—in a man who must be thoroughly informed on the subject, and who would never utter a sentiment of injurious tendency towards that establishment, over which his venerable father presides—under whose careful eye he has been educated—from whom his principles have been derived. Have there then been no novelties in this debate? But, Sir, there is another striking novelty in the debate of this night, for the noble lord opposite to me (lord Castlereagh) has not yet spoken. That noble lord on one occasion declared, that he would never return to place unless to carry the question of Catholic emancipation. The noble lord, however, did return to place when he knew he could not carry the question of Catholic emancipation. Though we had the benefit of his speech for us on a former occasion, we were deprived of his vote on the plea of scruples existing in the royal mind. Those scruples are now out of the question; and I ask the noble lord why he has remained silent during the present discussion? I will try to provoke the noble lord to speak.—The noble lord has said that he never would return to place and power, unless he could carry the question of the Catholic claims; but the noble lord has thrice accepted place and power, with his pledge unredeemed; and lastly, he has taken office in an administration under the guidance of a right hon. gentleman who has declared himself inexorably hostile to those claims; in one part of his speech, indeed,

he told us, that he spoke only his own sentiments, yet, before he finished, affirmed that he and his colleagues were unanimous on the question, and that the very Union between the two countries caused by the influence of the Catholics, on the conviction expressed or strongly implied of their approaching emancipation, would be an eternal barrier against conceding it. I ask the noble lord if he accedes to that statement of unanimity? Does the noble lord conceive it to be consistent with his former declarations, to make one of an administration who are thus unanimous against a measure, the hope of which he formerly held out as the indispensable means of carrying the Union?—Sir, the noble lord is well known to Ireland, and Ireland is well known to him. At the period of the Union, when the marquis Cornwallis presided the government of that country, the noble lord was the minister for Ireland; and it has been repeatedly alleged, in support of the Catholic cause, and never denied, that the express condition on which the Catholics consented to the Union, (and it could not have been effected without their consent), was that their claims should be considered. This it was said could not be done in the parliament of Ireland, but it was promised that it should be one of the first propositions brought forward in the united parliament, after the Union should be complete. The noble lord was the man through whom this agreement was negotiated with the leaders of the Catholic body. The noble lord knew that Mr. Pitt was decidedly favourable to Catholic emancipation, and, if I am not misinformed, he drew up a plan for carrying this great object into effect.

After the measure of the Union was carried, however, new and unexpected obstacles arose; but so conscious were Mr. Pitt and his noble colleague of the pledge which they had given to the Catholics, that, finding they were prevented from submitting the question to parliament as a government measure, they retired from office, to which they declared they never would return, unless they should be empowered to redeem it. Now, I ask, and I hope to hear from the noble lord, why he has relinquished this condition, and why he has again leagued himself with an administration which, according to the statement of the right hon. gentleman, is unanimous in resisting the Catholic claims? One part of the noble lord's plan, (to

which I have before alluded,) for preserving tranquillity in Ireland after the Union, was, as I understand, to provide for the Catholic priesthood. And now, twelve years after the Union has been effected, we are told by the colleagues of the noble lord, "If you provide further for the education and maintenance of the Catholic clergy of Ireland, you, in fact, transfer the establishment of the Protestant Church to the Catholics." Sir, may I be permitted to call to the recollection of the House, the period at which the honourable pledges, which I have mentioned, were originally plighted to the Catholics of Ireland? It was in the year 1798, when a rebellion existed in that country. The noble lord has repeatedly assured us, in this House, that that rebellion was not a Catholic rebellion. The learned Doctor, one of the noble lord's associates, in opposing my right hon. friend's motion, assures us, on the contrary, not only that that rebellion was a Catholic rebellion, but that every other rebellion that ever took place in Ireland has been a Catholic rebellion. Leaving these high authorities to reconcile this mutual contradiction as they can, I may be permitted to hope, that the learned Doctor will allow, that Ireland is not exclusively the portion of the empire in which rebellions have occurred; and, at least, the rebellion of Scotland, in 1745, was not a rebellion of Irish Catholics, nor was it aided by them. They took no advantage of the perilous state of the country.

Sir, the noble lord has told us heretofore, that he saw the different cabals of Ireland in a flame, without knowing who might be the victims; and that he was persuaded the Union was the only measure to put an end to the mischief. He bought the parliament of Ireland with the spoils of the people of Ireland, their representation was merged in this House; but the noble lord says, he gave no specific promise to the Catholics, farther than that their claims would have a fairer opportunity of being considered in the British parliament if they supported him in carrying the Union. Why, Sir, if the proposition had been understood by the Catholics in this limited sense, is it probable they would have lent their influence to carry a measure which annihilated for ever the independence of their country, merely for the chance of having their claims considered, without any pledge that their grievances should be removed?

Whatever it might be, the pledge given to the Catholics was so strong as to raise in them the greatest hopes—hopes in which they now find themselves so cruelly disappointed. I hope, Sir, we shall hear from the noble lord some explanation of this paradox. I know there are men in this country who stand pledged to the support of the Catholic claims (though certainly not on the same grounds as the noble lord) who, if they possessed the same facility as the noble lord in abandoning their principles and their promises, might have commanded office and power. Their refusal has raised them justly high in the estimation and confidence of their country; and when we consider the critical situation of this empire, both abroad and at home, we have every reason to lament, that the direction of our affairs is not reposed in the hands of men favourable to the adoption of a measure, on the success of which, in my firm conviction, depends our security, if not our existence. As to the Catholics, I hope and believe they will persevere in the dutiful and loyal conduct which they have hitherto observed; trusting to the ultimate justice and liberality of parliament for that redress of their grievances which it is still to be hoped is at no very great distance. They see that the sentiments of their liberal Protestant countrymen are decidedly with them. They see that the more their claims are discussed in this House, the more their cause gains ground with every enlightened and unprejudiced man within and without these walls; and they will excuse me, if I suggest to them the wisdom and policy of not suffering their zealous but imprudent friends to cast in their way impediments not essential to their religious tenets.

Among the numerous Petitions on your table, Sir, the only ones against the Catholic Claims, are those of the two Universities, and that of the Protestant corporation of Dublin. With respect to the first, I must beg pardon, for declaring that in my opinion, they appear on the face of them, to have been obtained only by the manœuvres of a small faction, trying to gain ministerial favour. As to the Petition from Cambridge, the meeting from which it proceeded was not convened until late on the Saturday. The Sunday was employed in a clandestine canvas for votes, and the Petition was carried on the Monday, by a majority of only five votes. Sir, there is a passage in this Peti-

tion bears internal evidence of the haste with which the whole was drawn. The Catholics may console themselves in the disgrace reflected upon their opponents by the nonsense they have uttered. If there be any member of the learned body who signed the Petition, who can interpret the passage I shall quote, he will deserve the distinction of a new professor's chair. The passage is as follows: "And that the power of the Pope, though for various reasons lessened in the public opinion, is notwithstanding now more dangerous to us than ever, being itself brought under the controul of a foreign, and our most inveterate enemy; and that the petitioners as members of a Protestant University are confirmed in their apprehensions of a foreign influence, from the tendency which it is reported appears among some of the Roman Catholic petitioners for the Bill towards affecting the King's supremacy in the Church."

Now let any man alive—let all the Cantabrigians in this House come forward; and, if they can, explain these words to those to whom they are addressed: and yet those few members who convoked the meeting and framed the Petition, are pleased to call it the Petition of that learned University.—The Petition from the University of Oxford stands in somewhat a similar predicament. For of the thousand members belonging to that University, not more than one hundred attended the meeting at which the Petition was proposed; and in the minority upon the division respecting it, were the vice chancellor, the two proctors, and several heads of houses.—I am sorry, Sir, to detain the House, but I feel it necessary to trespass upon them with a very few more observations. The right honourable the Chancellor of the Exchequer has assured us, that the Protestant mind of England is decidedly hostile to the Catholic Claims. I should be glad to know where he discovered that fact? The right honourable gentleman resides and has long resided in the metropolis. He is well acquainted with London and Westminster. He is not without partizans or influence in either. And yet the Protestant corporation of London have voted an address to the Prince Regent, not only in favour of the Catholic Claims, but praying for the removal of that right honourable gentleman and his colleagues from office, principally on account of their resistance to

those claims. I ask from what Protestant corporation or community in Great Britain (except those which I have already mentioned) has there been a single address or petition against the Catholics, although petitions have poured in from every quarter, and now load the table of the House against some of the favourite measures of the right honourable gentleman; and although the approach of this discussion was (to use words which have frequently been quoted) "as notorious as the sun at noon day." But, it is said "the corporation of Dublin has petitioned against the Catholic Claims." I have in my hand an account which I am assured is correct, of the proceedings of that corporation on the very day when the Petition was signed. It was the day appointed for the election of sheriffs for the coming year; and I find that among the loyal and orderly Protestant corporation, a test was proposed, by a Mr. Giffard, to be put to the candidates for the shrievalty. This test was, whether they would support the Protestant establishment by firmly resisting the admission of Catholics to the freedom of the corporation of Dublin, even though the legislature should relax the severity of the existing laws. I find a Mr. Warner, one of the candidates for the office of sheriff, weak enough to accept this test, and to promise to resist the admission of Catholics into the corporation, even to refuse swearing them in, contrary to the provisions of any law which may hereafter be enacted. Mr. Warner is returned. The circumstance is passed over by the worshipful board of aldermen. It occurs within the cognizance of his Majesty's government, close to the residence of the viceroy; yet, neither the right hon. Secretary for Ireland, nor the King's Attorney General, nor the Chief Justice of the court of King's bench, feel it necessary to take any notice of such a proceeding in that Protestant corporation, always boasting of its loyalty and its attachment to the laws. Nor is the declaration of a predetermination to resist the law deemed any disqualification of a man for the office of sheriff, whose duty it is, (upon oath) to support the law, and among whose functions be it observed is the very important one of selecting the jurors who are to sit in judgment upon the lives and properties of his Catholic fellow citizens. But, Sir, had a similar proceeding occurred in a Catholic assembly, the case would have been quite altered. We

should then have had the alarm sounded from every quarter. What is the next step taken by this loyal and liberal Protestant corporation? A gallant officer, and an Irishman,—a major O'Donoghoe, who had been fighting the battles of his country on the peninsula, and who had particularly distinguished himself in the defence of Tarifa, where colonel Skerret commanded, under whom the gallant major was second in command, returns to his country covered with honourable wounds. An achievement of such importance in the estimation of ministers, and the country at the time, that the loss of Valencia sunk in oblivion before it. In this assembly it was proposed to compliment their brave countryman with a vote of thanks and the freedom of the corporation, accompanied with the present of a sword. But just as the vote is about to pass with acclamation, a question is put by Mr. Giffard, "whether major O'Donoghoe was a Protestant?" Not whether he had fought bravely—Not whether he had bled in the cause of his country—but what were his religious tenets! "Don't tell me of his gallantry," exclaims this Mr. Giffard, "I was born a Protestant; I had a Protestant nurse, I sucked Protestantism in with the first breath I drew, I was brought up in the Protestant faith, these principles I have always professed—the principles of the thirty nine articles—the principles of Luther, Cranmer and Locke, nay, of the immortal Shakespeare." Sir, Mr. Plymley himself could not have portrayed the character of Mr. Giffard, and in him have personified the whole class of which he is the representative, in terms more satirically ludicrous than those in which this gentleman has portrayed himself. I have often thought that all the traits of character given by the immortal genius whose name Mr. Giffard has so woefully prostituted were simple transcripts of what the poet had seen or heard, not invented or even exaggerated. Mr. Giffard has confirmed me in those notions. Had any inattentive observer of nature read such a scene in a play of Shakespeare, he would have said the poet was extravagant. Here you have Mr. Giffard himself. It is beyond the power of human ingenuity to make any representation more extravagant than the original. But mark the proceedings of the court! Thanks were voted to major O'Donoghoe, "thanks enough you may have," says Mr. Giffard, "but bare thanks—no Protestant honours

for Catholic wounds." The sword was also voted. "Return with it," says Mr. Giffard "to your regiment, wield it against the foes of your country, gain new victories and shed fresh blood in our cause, but never indulge the hope, whatever military glory you may acquire, to have the honour of your freedom in our Protestant corporation." The freedom of the corporation was actually refused to this gallant soldier. And this, Sir, is the enlightened Protestant corporation of Dublin, to whose single Petition against the just claims of four millions of the gallant and loyal people of Ireland you are required to pay more deference than to all the other Petitions of the people of Ireland, Protestant as well as Catholic. It may be said, that the Irish government had nothing to do with the proceedings which I have described. But do not ministers know that this Mr. Giffard is the bosom friend of the learned and right honourable Doctor—that he is connected with the Irish government? Have they set their faces against such proceedings? If not, is it not fair to conclude that they approve and adopt them? It is objected to us, that if these concessions shall be granted to the Catholics, all the disabilities under which the Protestant Dissenters labour must be repealed! God forbid they should not!! I have had the honour of presenting numerous Petitions to this House, signed by thousands of respectable and enlightened men of all denominations of Christians, praying for full liberty of conscience. I earnestly hope their prayer will be granted; and that each making common cause with the other in this truly glorious struggle, it will be successful to the destruction of all the shackles which have been forged, and all the temptations to act in contradiction to the dictates of conscience which have been thereby created, to controul or to warp the mind of man in the performance of his most sacred duties. Sir, notwithstanding the miserable efforts of rancour and intolerance, I would say to the Irish Catholics, "Persevere in your moderate and dutiful Petitions to parliament; do not despair of the ultimate success of your cause. Have confidence in those who have always stood by you. See, there is no defection. See, all the honours which the crown can bestow are refused for your sake. See, your friends and supporters are bereft of power, because they are your friends and supporters. See, the decorations of honour lie unac-

cepted in the sovereign's closet, pledges of fidelity towards you, symbols of admonition to him—all serene and glorious within, see Moira's breast without a star, 'Eo magis ornatus quia non ornatus.' See the encreasing spirit of liberality towards you among religionists of all descriptions, among churchmen, among dissenters. Visit not upon the universities the sins of the intriguing few of their bodies. Read the Cambridge Petition. See the haste with which it was drawn, in the nonsense it contains. Hear the story of Oxford, and judge if her Petition speaks the voice of all her sons. Look in this House to the unshackled strength of the right hon. member for Hastings (Mr. Canning) exerted in your behalf; look at the brilliant efforts of the noble member for Callington, (lord Binning) of the son of one of the highest dignitaries of our church, of the noble member for Yorkshire, (lord Milton) all exerted in your behalf; see by whom such men are opposed; see the balance in the hands of the crown, confide in your father and your friend,—be patient—be firm—be moderate—and your cause is gained."

Lord Castlereagh.—Sir, I would not willingly trouble the House with any observations of mine on this question, nor should I have opened my lips to night, if the circumstances of my private life in Ireland, had not become matter of observation touching this subject, on the part of the hon. gentleman who spoke last.

With respect to the vote I shall give to night, my right hon. friend (Mr. Perceval) has truly stated, that the cabinet are unanimous in their opinion, that the question of concession to the Catholics could not now be conveniently agitated, nor any enquiry gone into upon the subject of the legal disabilities of his Majesty's Catholic subjects in Ireland, with the hope of coming to any ultimate and satisfactory arrangement.

I apprehend I may save a great deal of the time of the House; for, the reasons upon which my vote was founded against the proposition made in the early part of the session, apply, with very slight shades of difference indeed, to that which is now under consideration.

The hon. gentleman who spoke last has stated, that my right hon. friend is the only bar between the Roman Catholics and the concession of their claims. I deny the fact. Sir, the greatest obstacle, and the

greatest bar, to the attainment of their wishes, has been their own injudicious mode of prosecuting their claims—and the injudicious manner they are supported by their advocates; and I do protest in the face of the country, and the face of the House, against that injudicious and dangerous mode of throwing a sort of blame on the government of the country, which gentlemen on the other side have adopted. I do also protest against that unconstitutional theme of blame, so industriously cast upon the illustrious person now exercising the sovereign power of the state, upon the supposition that pledges and hopes were given to the Catholics at the period when that illustrious individual was a private but disencumbered person. All I can say is, that if such hopes and expectations were raised in Ireland, it was owing to the rash indiscretion and improper conduct of those, through whom such communications were made, and which now forms one of the insuperable bars to the concession of Catholic demands. But I have no hesitation in saying, that looking at the present state of the country, of Ireland and Great Britain—looking at the principles that the Catholics urge in favour of their own objects—considering that they have thought it expedient to put their claims upon no other footing, than that which their experience should have taught them, would not be acceded to; namely, a reluctance to give those securities they are called upon to give against the danger of concession; I do say, that although the crown is entitled to adopt its own sentiments, yet as far as I can exercise an opinion, I think that his Royal Highness would have exercised a most unsound discretion if he had authorised any of his ministers to accede to the wishes of the Catholics upon the ground they have been urged. I think he would have risked the public tranquillity of the empire, at a period when the exertions of the empire are most necessary to enable it to struggle with the difficulties which surround it. I do not believe a government even so authorised could have carried this question under the impressions that have been made upon the public mind by the imprudent conduct of the Catholics themselves; and I say that the agitation of this question now would have risked, more than any other step, the interests of the Catholics themselves; for, I never can believe that the Catholics can derive any advantage from these concessions, unless they unite with them, by their

own conduct, the affection and interest of the people of England, which they know they cannot do, unless they come into the constitution upon other principles of religion, than those upon which their claims were heretofore supported:—and in that view of the subject I do again say, it is as little for their interest, as for the interest of the Protestants of Great Britain, that their claims upon parliament should now be agitated. I do therefore apprehend that the attempt to carry the question by this mode of proceeding, and that too at a period, and under circumstances so embarrassing to the government of the country, comes under that class of conduct, which no person of sense in the country can contemplate without sensations of surprise and regret. And I do think it is as injurious to the character and feelings as it is unconstitutional, in respect of the dignity and rank of the illustrious individual alluded to, to bring forward this allegation in such a manner, that it cannot be met and refuted, and at a time, and in a situation when that illustrious personage cannot have any opportunity of stating the circumstances under which those opinions imputed to him were formed and delivered.

Now Sir, with respect to the question immediately before the House, I do not think it is a fair mode of bringing forward the Catholic claims; and I perfectly agree with my right hon. friend, that it is calling upon the House to give a blind vote—to deceive the Catholics and to commit themselves.

The hon. gentleman says, that the rules of the House prescribe that no question of this important nature shall be enquired into, but in a Committee of the whole House. It is very true that no measure of this importance can be otherwise dealt with; but I say, the House is not to go into a committee without knowing before hand to what its enquiries are to be directed. In a question of this magnitude, which involves the most vital principles of the constitution, it is fit that we should not be left in the dark with respect to gentlemen's intentions. We are called upon to go into a committee, not to consider of any measure propounded to us, but to go into a committee to enquire and examine into—what? Nothing that I can yet understand as a subject fit for the enquiry of a committee of the whole House. What is the question? That the House should go into a committee to take into consideration the penal laws of Ireland, as they

affect the Roman Catholics. Now I say, that in a committee of the whole House, the right hon. gentleman, if he expects to receive any information which he cannot get without going into a committee, he must have deceived himself very much in his views of this subject, and on the arguments by which he could hope to induce the House to enter into the consideration of those measures, in respect of which his own and other gentlemen's feelings seem to have been so painfully excited. Suppose the argument of the hon. gentleman over the way (Mr. Whitbread) was true, still I apprehend it does not strictly apply to this case. Suppose a Bill was now before parliament, the principles of which were to be examined in a committee, and though the disclosure of the minute circumstances under which it was presented may be made, in that stage of its passage through the House, still the House would not entertain the motion for leave to bring in the Bill, unless sufficient grounds and the general outline of the amending measure were stated. I call upon the House therefore to avoid the absurdity into which a concurrence in this motion would inevitably lead them; and I charge the authors of this measure with a design to entrap the House into a step which must lead to confusion and terminate in the disappointment of all parties; and I do maintain that all those persons who vote for this question, do give a blind vote to a comprehensive and most important measure, under an implied engagement to support this question throughout, upon no fair or sound view of it. This is certainly a very convenient mode of collecting all the strength and favour of the House, in behalf of the Catholics, by agreeing in one vote:—but, after this fair caution, I trust the House will avoid the consequences that will follow, if they are led to go into a committee.

Now, I apprehend, the ground upon which persons who hold the same opinion that I hold, rest, is this, that it is impossible, under the consideration of the present temper of this country, and still more with a view to the disposition of the Catholics themselves, to entertain this question with any hopes of final conciliation between both parties. Because, I lament to say, that those dispositions which existed in the Catholic mind in the year 1800, are not to be found at the present moment. I was a friend to this measure at that time, because I was satisfied that the Ca-

tholics were disposed to take up that measure upon liberal grounds, and to content themselves with closing with the government, upon principles not inimical to the Church or State. If the Catholics have withdrawn their pledges upon that subject, I would be glad to know upon what principle of fair reasoning (I would even appeal to themselves) do they accuse us of neglect and indifference to their claims, when they come to parliament under completely different circumstances, and completely different views. Because that makes the whole difference in the consideration of their claims; for the whole question is, whether it is advisable, safe, or expedient to make these concessions. I lament this circumstance deeply, because it is calculated to produce an impression on the minds of the Catholics that may be permanently disadvantageous to their claims, after the Catholics are awakened from their own delusion. It is one of the circumstances I never ceased to lament, that it was brought forward at the period of the Union only to lead to disappointment on both sides. If it could have been then satisfactorily effected, it would have been a most desirable object. Certainly at that time there was a temper on both sides of the question which gave great facilities to its execution, but which facilities have been defeated since by unfortunate circumstances on both sides.

Really I cannot understand upon what principles the Catholics (even for their own credit) do come to parliament again. Will it be stated that they have conscientious scruples against adopting that which all Catholic governments, in all Catholic countries, have adopted, upon the principle of self security? Will they refuse to do that which, if they were subjects of a Catholic state, they would be compelled by law to do, before they could be admitted to the privileges of citizens? Is it not a notorious circumstance that the Catholics of Ireland allow themselves to be blind to their own interest? Is it not very well known, that they refuse to admit their consciences to an arrangement which other Catholic countries have adopted? It is material, therefore, in the view the House takes of this question, to consider that the Catholics are now calling for the accomplishment of their views, to all appearance, unconditionally. They are calling upon the legislature to be admitted within its walls, without restraint. They are calling upon us to admit them within

the pale of the constitution, while, at the same time, they are refusing to give us those securities which are necessary to the existence of our establishment in Church and State.

Now there is a very broad distinction between the Protestant and the Catholic Church. The Protestant Church is a parliament Church. Every branch of the established Church of this country is regulated by law. Its discipline, its government in every part of it, is regulated by parliament. Now what do the Catholics require of you? They call upon you to allow them to become members of the legislature, and to legislate in the concerns, and in the ecclesiastical government of the Church of this country: They, as Roman Catholics, require of you to be the arbiters and legislators in matters relating to the Protestant religion, a religion, to which they are professedly, by their own tenets, hostile. Do you think then that after having admitted the Catholic laity to the legislature, that the Catholic clergy will remain perfectly quiescent and inactive? Do you think that influence which is now so widely diffused amongst their flocks, will suddenly cease, at a moment when that influence may be exerted with the greatest effect in furthering their own ambitious views? This is not putting the case by any means in an extravagant point of view: and yet these persons refuse to give you any security, or even to condescend to mention to you upon what terms they will receive so equal a participation in the benefits of the constitution. There is no responsive feeling on the part of the Catholics on this subject: and, did they wish that their reconciliation should be founded upon a permanent unchangeable and fixed basis, they would find no hesitation in adopting a regulation which at the same time that it did not connect them with the crown of these realms, would not separate them from it. That is the sole object which those who at present oppose Catholic claims aim at, and that is the true and the only principle of objection they urge against their claims.

Sir, no sentiment that I ever entertained upon this subject, no opinion that Mr. Pitt entertained upon the subject, and no grounds upon which I have ever opposed the Catholic claims can justify any man in impugning to me that I am inconsistent, in refusing to the Catholics those claims upon the principles on which they now demand them. It is my conscientious opi-

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nion that concession to the Catholics would be a measure of great advantage to the empire, if it can be connected with proper securities to the established Church; and if guarded with that degree of restriction that may meet with concurrence on the part of the Protestants, so as to render conciliation and harmony amongst all parties a primary object. My opinion never went the length of stating that this measure should be forced by parliament on the empire; and I know that Mr. Pitt's opinion was, that it never should be forced upon the country: but considering it as an advisable and advantageous measure under proper regulations, he did profess himself ready and willing to give it his support. Under these circumstances, without detaining the House at any greater length, I think I am not chargeable with any inconsistency in giving the vote I give this night against the agitation of this question; and I have no hesitation in asserting that I give the same vote that I have always given on the Catholic question upon the same principle.

These are the sentiments I have always stated, whether in or out of parliament, upon this important subject: and I wish that the hon. gentlemen on the other side of the House could justly lay claim to the same consistency on all occasions, in their votes, and it is not too much to say that on occasions of this kind, gentlemen's own convenience is consulted in preference to that of the welfare and happiness of the country: I repeat again, Sir, that I shall vote against this motion.

Right Hon. *George Ponsonby*. Sir; I do not mean to detain the House long, but in consequence of something which fell from the noble lord, it is necessary I should for a few moments request your indulgence.

The noble lord has said that it has been most unfairly and unconstitutionally urged in support of this question, that promises were held out to the Roman Catholics on the authority of a person of the highest consideration in this country, at a former period, and that the promulgation of such promises to the Catholics of Ireland was owing to the rash indiscretion and improper conduct of those to whom such a favourable disposition was communicated. How does he know? Was he consulted? Was any communication made to him? I tell the noble lord that assertion is false. I tell him and the House that the

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communication was made in obedience to commands from that high quarter to those who made it.—I say this in the face of England. I tell the noble lord again that wherever he has received his information it is without truth. The noble lord was unconsulted and unacquainted with the facts.

I say that the noble duke lately at the head of the Irish government, as well as myself, did receive commands—not merely permission—but the actual commands from the illustrious personage alluded to, to make the communication, that such were the intentions of that great personage in respect to the Roman Catholics of Ireland, and that he would never forsake their interests.

I do not presume to accuse that great personage of any inconsistency or impropriety if he chuses to change his opinion or make choice of his ministers as he has done. But I never will sit silent and hear uncontradicted the assertion, that it was owing to the indiscretion of those who made that communication that it was made to the Catholics.

I have spoken so often upon this subject, and my sentiments upon it are so well known, that I feel it quite unnecessary at this late hour, to trouble the House with repeating them: but I was most anxious to correct the mis-statement of the noble lord, and set the opinion of the House right upon the point.

He has told the House it was settled at the time of the Union that nothing further was ever to be granted to the Catholics but upon certain conditions, to be complied with on their parts, and that his vote on this subject has always been guided by this consideration. And yet the noble lord, with all his friendship for the Catholics, will not vouchsafe to communicate to the House any one of the conditions upon which he would agree to concede their claims.

The noble lord says, the people of England are not prepared to make up their minds to those concessions. I ask, then, were they prepared twelve years ago; when those concessions were proposed as the very ground and condition of conciliating the support of the Catholics to carry the Union?

The noble lord says, the general sense of the Protestants of Ireland is not favourable to the measure. Does the noble lord think, then, that they were more favourable to it at the Union, when he proposed

it to the Catholics as part of the compact on which he was to carry that measure; or will he assert that there ever was any period at which the Protestants of Ireland were so favourable to it as they are at this moment. Sir, I promised the House that I should not trespass long on their attention, and I will keep my promise.

Lord Castlereagh. Sir, I deny that what I said, was, that those who made the communication in Ireland acted unconstitutionally; I said, they might have acted hastily and indiscreetly, and without any authority; not that they actually had done so. But I do hold, that it is unconstitutional to make allusions to the conduct or opinions of his royal highness the Prince of Wales, previous to his accession to the sovereign power of this country, with a view to call in question any conduct he might think fit to adopt, after his virtual accession to the throne. I stand by this principle, and I shall abide by it; and now I trust the right hon. gentleman will feel the necessity of some explanation on the manner in which he has been pleased to use the word 'false.'

Mr. Ponsonby. The noble lord seems to me, with great submission, to have altered very much in his explanation what he said at first.—(A cry of No, no.)

The *Speaker* then said, that the words of the right hon. gentleman certainly called for explanation.

Mr. Ponsonby. I use the word false in its parliamentary sense, not offensively as to the noble lord's personal veracity. But however I will now repeat what I said before, that the assertion of rash indiscretion, and improper conduct in those who made the communication to the Catholics, is untrue, come it from what quarter it may.

Lord Castlereagh. I am satisfied with the explanation of the right hon. gentleman, that the words he used were not personally applied to me, otherwise than in a parliamentary way.

Mr. Canning. Mr. Speaker; after the interruption that has been given to the course of this debate, and still more after the extraordinary misrepresentations which we have heard of the nature of the motion before us, I feel it necessary to recall the attention of the House to the real terms of the question in your hand: and with that view, Sir, I beg that you will be so

good as to take the trouble of reading it to the House. (Here the question was read.) I did flatter myself, Sir, that I had retained a pretty accurate impression on my mind of the proposition originally moved by the right hon. gentleman (Mr. Grattan); and I find, I was not mistaken. But with that impression, I confess I have been at some loss to understand many of the arguments that have been recently advanced in opposition to the motion: and I was therefore desirous to refresh the recollection of the House, as well as my own, before I should venture to animadvert upon those arguments, as I shall have occasion to do in stating the grounds of my vote this night.

The motion, as the House will now perceive, is not one which calls upon them, as it has been represented to do, for unlimited concessions to the Roman Catholics. It is not one that would commit us to any concessions at all; or which recommends any course of proceeding, inconsistent with the obtaining from those in whose favour we may be disposed to make any concessions, whatever pledges or securities we may think proper to exact in return for them.

It rests upon much higher principles; it is to be argued on much wider and more general grounds, than those who have recently taken part against it in this debate, seem to apprehend.

The question which it proposes is neither more nor less than whether, in a state of this country unexampled in point of difficulty and danger,—(difficulty and danger, however, which I desire always to be understood as professing my entire and conscientious conviction that the country has ample means and resources for meeting and overcoming,)—whether, in a state of the world, which is not only without example in any former period,—but for which all former periods present rather contrasts than comparisons; whether when all regions of the earth have undergone changes, the most fundamental both in their internal government, and in their external policy and relations; when that spiritual authority which was formerly the controul and terror of Christendom,—the controul of the Catholic and the terror of the Protestant powers,—has fallen into abeyance, if not extinction; and when every state, whether Catholic or Protestant, has need of all its force and population to resist the overwhelming ambition of France: whether, in this state of things, with a great portion of our population still

labouring under laws which were made in other times, and against other dangers, and the removal of which might unite with firmer concord all classes of the community; whether we will, I say, under all these circumstances, consent to take into our consideration the state of those laws, and to enquire into the possibility of extending the full benefits of the constitution to a complaining, but a brave and loyal portion of our people.

Such being the nature of the question of this night, I own I was not a little surprized at the statement of the noble lord (lord Castlereagh) who spoke last but one, that the present question was precisely the same as that which had been already decided by the House in the early part of the present session. The question decided on the occasion to which the noble lord refers was this; whether the House of Commons should entertain a motion for considering the state of Ireland, founded upon the then recent transactions between the Irish government and the Catholics; a motion which embraced, to be sure, by natural inference and implication, the state of the Catholics themselves; but the main and practical object of which was to censure the conduct of the Irish government. I appeal to the recollection of those who witnessed that debate, and to the speeches of all who spoke in it, but with still more confidence I refer to what were, and were stated by me to be, the grounds of my own vote on that occasion, for the correctness of this statement: I gave my vote against that motion, not merely because it could not, according to my apprehension, be attended with any benefit to the Catholics at the time and under the circumstances in which it was brought forward; but distinctly because it involved a condemnation of the conduct of the government of Ireland in respect to the transaction under review, which I thought entirely unjust.—With what pretence of reason can we be told that the great question of to night is specifically the same question, or one only differing a little in its form?—But even if the former question had been disembarrassed, (which it was not,) of any thing relating to the conduct of the Irish government, it could not be divested of that which concerned the conduct of the Catholics themselves. They were accused of having acted in defiance of the law: and the question whether they had done so or not was at that moment in a train of judicial

investigation. Upon this ground many votes were given on that night: and upon this ground, if I am not much mistaken, the noble lord himself mainly and justly insisted.

But was there no other still more marked discrimination, in the circumstances of the time, at which the former motion was brought forward?—The administration was not then formed. Hopes (from what causes arising it is not for me to say, because I know nothing of them; but) hopes were certainly cherished as well among the Catholics themselves, as among those who wish the Catholic question settled for the general harmony and tranquillity of the empire, that in the new administration, however composed, there would be a disposition fairly to consider that question, and to see at least if it might not be safely set at rest. While these hopes prevailed, I among others who thought that the question could be most safely discussed, and would be best settled, if brought forward by the recommendation of the crown, felt an invincible repugnance to precipitating the agitation of it. I am still of opinion, that it would be for the happiness of the empire and for the security of the government, that such should be the course of the proceeding. And if the government had avowed their determination to entertain the consideration of this question, and hereafter themselves to recommend it to the consideration of parliament, most willingly would I vote with them this night against going into a committee, in which I readily admit that we cannot expect to be able to examine the subject with the same advantage as if the executive government had previously prepared and adjusted its details.

But what hope is there now of any such conduct on the part of the administration, framed, as it is, on the basis of resistance to all consideration of this question? None.—We have therefore no resource but to consider it in this House.

But what, (says my right hon. friend, the Chancellor of the Exchequer,) is to be the object of that committee?—what the matter of their deliberations? What? why the state of the laws, inflicting penalties or civil incapacities on his Majesty's Roman Catholic subjects. Why, Sir, if any member of this House were to stand up and tell you of any great distress or complaint prevailing in any branch of the manufactures of the country: if it

were merely stated to you that there existed various clashing and contradictory provisions in the laws of England and Ireland, upon subjects much less vital and important than those which are involved in the present question; would not the appointment of a committee to inquire into these allegations be a natural and harmless suggestion? If it were merely stated, that there was one law which inflicted penalties upon the Irish soldier when serving in this country, while by another the interchange of Irish and English regiments between England and Ireland is encouraged; would it be thought unreasonable to propose a committee to revise a system so apparently incongruous and inequitable?

I will not at the present moment set about proving, that the laws respecting the Catholics are not exactly in the state the most consonant to justice and sound policy: I will only say that it must be by a miracle if they are so; if laws enacted on the spur of so many different occasions,—in the heat of civil violence,—on the suppression of bloody rebellions,—laws dictated sometimes by fear, and sometimes by resentment (neither of them very wise and provident and temperate principles of legislation); if laws, I say, so originating, and so accumulated upon one another without system, without order, without connection, and of which almost as soon as the enactment was completed, the repeal has been begun;—wonderful indeed, and unaccountable would it be, if laws of which such is the character, and such the history, did indeed constitute a code fit to be preserved without alteration or revision. Yet this is what is contended for by those who oppose the present motion. It is fit that Catholics in Ireland, who enter into the army, should, as soon as they set foot on the shores of this country, become subject to the severest pains and penalties of law;—it is fit that Catholics should vote for members of parliament in Ireland, but not here; it is fit that they should be electors, but not representatives, colonels but not generals, lawyers but not judges, magistrates but not ministers:—all this is right and proper;—the lines of demarkation in all these instances has been most prudently and happily drawn! This is the wisdom of our ancestors! In all these anomalies there is nothing to correct; in all these differences there is nothing to reconcile. Our ancestors, it seems, had the whole subject before them at one

view; and devised a system best calculated for all the circumstances of the case.—A system, however, which, be it remembered, they were building up from the Revolution to the present reign; and which in the present reign, we or our more immediate ancestors have been busily, and, I suppose, sacrilegiously employed in pulling down.

This then is my answer to the question, "If we should go into this committee, what will you do in it?" Such a committee is the necessary preliminary towards entering upon the consideration of the present state of the laws affecting the Catholics. By the forms of this House, such an inquiry must originate in a committee of the whole House. This motion, is, therefore, the first step to whatever ulterior course you may agree upon. My right hon. friend (the Chancellor of the Exchequer) says, "Why do you not bring in a Bill, which would embrace the whole question without waiting for the enquiry of a Committee?" First, Sir, to originate such a Bill we must, as I have said, have such a committee as is now moved for. But, secondly;—without presuming to answer for any other gentleman,—for myself I confess, that there are many points upon which I should wish for information before I could vote for any Bill. Gentlemen talk of the penal laws as if they were something as well known as the Bill of Rights, or any other statute fundamental to the constitution. How many of them, I should be glad to know, when they use these terms, have a clear idea of their meaning? How many ever read a word in any one of them? We all know indeed that there is a system of laws which has been growing up for a century or two, and which has constantly excited discontent and dissatisfaction amongst the people of Ireland. Gentlemen say very confidently, these laws do not press hard upon the people. I ask, what does not press hard?—The answer of nine out of ten would be, "I do not know very precisely." Then, I say, go into the committee and inquire: inquire what the system is which you think it still wise and necessary to continue; inquire whether any and what part of that system was built upon foundations which time and change have swept away; whether it has been upon the whole, or in part, advantageous or detrimental to Ireland; whether this or that law has in fact produced the benefits intended by the legis-

lature; whether what has been taken away by subsequent repeal from the mass of incongruous statutes, has been well and wisely selected; or whether having been chipped and broken away by bits, without plan or proportion, it may not have left the remainder of the mass,—which, when whole, might have been regular and equable in its pressure,—to press with angular acuteness and with partial pain upon some particular parts of the community?

For, Sir, never let it be forgotten,—it is the main point of the argument for inquiry,—that these laws are not one uniform and consistent and permanent code. They have never remained for twenty years together in the same state. They were built up during a period of about 70 years, (counting only from the Revolution, the favourite date with those who admire the Popery code,) and during a succeeding period of about 40 years they have begun to be pulled down. Singular indeed would it be if a structure raised, and added to at so many successive times, and then gradually dismantled and demolished, till the course of its demolition was stopped by some unlooked for external accident,—should happen, at the precise moment when that accident occurred, to be precisely in the state in which it was most convenient and comfortable as a habitation! This would be indeed a piece of singular good fortune:—and this is an exact image of the history of the penal code, as received by those who contend that all is exactly as it should be; that the wisdom of our ancestors had to be sure enacted somewhat more than enough; but that we, their posterity, have retrenched from their enactments precisely what was superfluous, and must be careful to retrench no more.

Gentlemen seem to fancy that they derive great advantage to their arguments in favour of the Popery code, by tracing its origin to king William. It is true its foundations were laid in Ireland, during his reign; and that having to secure a disputed title against a divided allegiance, against treason and rebellion, measures of severity might be justified under such circumstances, by a necessity which however that justification cannot survive. But his successor, queen Anne, (of pious memory) is entitled to the greater part of the glory (whatever it may be) to be derived from these wise acts of legislation: in portioning out the fame and credit

of which, I am sorry to say, that the reigns of the first two princes of the House of Brunswick, George the First and Second, must come in for their share. Happily for the interests and prosperity of the nation, the gracious monarch who now sits on the throne of these realms, determined rather to set than to follow an example, by commencing the destruction of that system, which the wisdom of his predecessors had been employed in perfecting, for the persecution or depression of certain classes of their subjects.

Such has been the progress of these penal laws, tracing them back no farther than the Revolution. But again I ask, what are they now? what have they been in their flourishing times? in those times, when matured to their full perfection, they exhibited the most complete and satisfactory specimen of this boasted wisdom of our ancestors?—Those of our ancestors, indeed, if not actually wise, must at least have had no common share of that gravity, which is usually counted the companion and characteristic of wisdom, who could look each other in the face when they proposed, “That any Protestant who shall offer a Papist 5*l.* for a horse (no matter how great the intrinsic value of the animal) shall have it.” They must have had much of that temper and coolness, which are the guards as well as the fruits of wisdom, when they proposed to set an interdict upon the legitimate population of the country, by hanging the Catholic priest who should marry a Protestant with a Catholic, whether he knew the fact of the Protestantism of one of the parties or not. Is not a system composed of laws like these a proper subject for revision? But I understand the murmurs which I hear around me. These statutes are not now both of them upon the statute book. Granted: one of them is repealed, and the other is not; guess which it is that we have got rid of, and which is still in force. I fancy I puzzle some gentlemen who shewed signs of incredulity just now. I will set them at ease. Why, the horse is saved to the Catholic for his daily exercise: but the priest is still liable to be hanged for marrying him amiss.

What I wish, Sir, is that the real nature and state of laws such as these should be reviewed, a wish surely not unreasonable;—that a committee of this House should candidly enquire whether those laws, so wisely enacted in former days, might not be quite as wisely repealed in

these;—that they should take an enlarged view of this system of partial legislation;—that some opinion should be formed, whether it be proper, and if proper for what reason, that in Ireland Roman Catholics should be eligible to commissions in the army under a certain degree of rank, but that when the law, or their voluntary zeal transfers their services with their regiments into this country, they should be liable by the laws which meet them here to forfeiture and penalty;—whether it be fit that their exemption from such penalties should depend on the forbearance of informers, or on military regulations from the War Office;—whether it be fit; and for what reason, that the Catholic of this country should be unrepresented in parliament, while the Catholics of Ireland return half the county members of that kingdom to this House. To what does this motion pledge you, except to enquire into these strange anomalies, to ascertain among these conflicting and irreconcilable enactments, which it may be right to give up, and which to maintain? But this, I suppose, is contended to be unnecessary. ‘*Ignorantia legis neminem excusat*,’ is a maxim of the law: and as therefore all the laws that are in existence, are supposed to be known to the subject, what occasion can there be for a committee of this House, to enquire into the state of the laws of Ireland? I answer, that your every day’s practice gives countenance to this proceeding. Do you not almost every year appoint a committee to enquire into the expiring laws of the country? Yet every man is bound to know what laws are expiring and what unexpired. Some years ago, a great ferment was excited by some inconveniencies and disputes arising from the state of the woollen manufactures of this country. It was proposed that the various laws respecting that manufacture, many of them obsolete and inconsistent with each other, should be referred to a committee, which committee were to report upon them to the House: a committee was appointed; their report enumerated the several laws, and suggested the repeal of some, the modification of others, and pointed out those which they thought necessary to be retained. This very session, in consequence of the horrible murders perpetrated in the metropolis shortly before the meeting of parliament, a committee has been appointed to enquire into the state of the laws by which the police of the metropolis is regulated, and to con-

sider the means of establishing a effective Nightly Watch. Yet the upon this subject are, in theory, well known. Why then, Sir, can there be made for opposing a similar proceeding upon a subject which affects not one branch of manufacturing industry only, but the prosperity of a people; not the security of the metropolis, but that of the whole empire?

At the same time, it would be unfair to the House and to the country, not to say that certainly I would not vote for going into inquiry, as to the propriety or impropriety of the penal laws, unless I felt an anxious desire to ameliorate the system, and fairly to meet, and I should hope, happily to overcome the difficulties with which it is not to be denied that this great question appears to be surrounded. Great as those difficulties may appear, I think with an hon. gentleman who spoke some time ago, that we may at least congratulate ourselves upon a more promising approximation to that temper, and those views, which may be most favourable to their removal, than for some time past we could venture to anticipate, considering the insuperable nature of some of the obstacles which stood in the way. Much as I rejoice, however, in the hope, expressed by some gentlemen, that a time may come when that happy conciliation between Catholics and Protestants shall be effected; and glad as I should be to concur in any measure that could tend to produce that desirable consummation, I confess, nevertheless, that I was hardly prepared for my right hon. friend (Mr. Yorke's) suggestions, nor do I very clearly collect the intention of them. Whether it be the conversion of the Pope himself, that he thinks might be effected; or whether he only expects that the Irish Catholic should be induced to forego his spiritual allegiance to the Pontificate; or whether I am to understand him as adhering to his last idea, that of appointing an Irish Pope, for whom he went so far as to point out a suitable place of residence in Ireland, I do not exactly understand. He suggested, I think, Ballyshannon as a proper site for the new Vatican: and to that spot I certainly can have no objection. I have no doubt also that he has in contemplation a liberal plan of establishment for the new Pontiff, the details of which we must look for on some future occasion. My objection at first sight to such a proposition is only that it is more than I de-

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I very much fear, that this grave and generous suggestion of my right hon. friend, may be considered by the Catholics as postponing to an almost indefinite distance, the period of time and the state of circumstances, under which, in my right hon. friend's view, concession would be safe or politic.

I confess, Sir, that I feel myself very incompetent to follow my right hon. friend into these, and the like speculations upon popish tenets and popish discipline. I rather think that the farther we go into religious disquisitions upon this subject, the more we shall puzzle ourselves, and the farther we shall be from any rational decision. I would desire no better warning against such a course of argument than is to be gathered from the speeches of the right hon. and learned doctor, to whom I have already referred (Dr. Daigean), and a right hon. gentleman near me, member for the University of Dublin (Mr. Leslie Foster), who in undertaking to give the House information upon the nature of the Catholic religion, have taken views of that religion so opposite to each other, that— which may be right, which wrong, I do not pretend to decide; but of this I am sure, that no change in the Catholic tenets could be expected to satisfy both those learned and right hon. gentlemen. The right honourable and learned doctor behind me tells you, that the Catholic religion never changes: that it is now exactly what it always was, and ever must be; having endured through all past ages with perfect uniformity, and to endure unalterable through all future time. On the other hand, the right hon. gentleman on the floor tells you with equal confidence, that the Catholic religion is in a perpetual fluctuation and change; that its characteristic is variation; that so far from being permanent and fixed, through ages past and to come, it is never weary of adopting new forms and appearances; shaping itself to new circumstances, and taking the colour of new times. Now I confess myself quite at a loss to know

how it is expected of the Catholics to satisfy at once the learned doctor, and the right hon. member for the University of Dublin: both deeply read on this difficult and abstruse subject, and their joint evidence amounting to this; that a certain permanent fluctuation and mutable fixedness, is the indubitable characteristic of the Roman Catholic religion; and is that quality of which it must divest itself, before its professors can be put upon the footing of their fellow-subjects in civil privileges, and political freedom. Seriously, what is it then that we expect of the Catholics? Let us state it plainly, so that they may understand our meaning. How can we pretend with any justice to charge the Catholics with refusing to remove our objections to their religion, and withholding the securities which we think indispensable to make concession safe, while we cannot agree amongst ourselves in our allegations against their faith, but perplex them with charges thus vague and contradictory; and while we have ourselves no remedy to suggest for all the dangers which we affect to foresee or apprehend, but the installation of a Pope at Ballyshannon?

Another hon. gentleman has said, with great candour and truth,—that whatever may be the changes of the Catholic religion—if the state of parties in this House do not also materially change, the object of the present motion can never be effected. This is undoubtedly correct; and in this argument it is, that we find the most insurmountable barrier to the gratification of the Catholics. For even if the Catholics had the means, on fair examination, of removing all the rational scruples of their opponents on the ground of their religious tenets, I am afraid they could not easily discover the means of removing the prejudices of party. It would not be sufficient to satisfy such prejudices that the Roman Catholics should renounce and abjure all the offensive tenets of their ancestors. Any extravagant doctrine, however obsolete, that can be raked up from the musty records of forgotten controversy, is still produced in these debates, as confidently and peremptorily as if it came fresh from the pen of controversialists and polemical disputants of the present day. Would our own reformed Church endure a similar test? Would it be fair that it should now be made answerable for the tenets of all its members?—One leading imputation against

the Roman Catholic Church, for instance, is, that they withhold from their laity the perusal of the Holy Scriptures; which it has always been considered as a fundamental principle of the reformed Church to throw open for the whole Christian world. Yet I could at this moment read to the House, from a controversial pamphlet published in this learned and enlightened day by a reverend dignitary of the Established Church, a passage which, had I not known from whence it proceeded, I might have taken to be that very popish doctrine so loudly condemned by our reformed persuasion. The danger of circulating the Bible, alone, amongst the lower classes of the community, is most vehemently argued in a pamphlet known to have been written (as I have said) by a most learned and eminent dignitary of the Established Church; the orthodoxy of whose principles no man can impeach. Had that doctrine been inculcated in a Roman Catholic publication,—the doctrine that the word of God should not go forth to the world, unaccompanied by the commentaries of man—and had that publication been this night in the hands of any of my right hon. friends who oppose this question, what declamations should we not have heard in the course of the debate, upon the slavish intolerance, the bigotted ignorance, and the tyrannical superstition of the Romish Church! Do not let me be supposed a defender of the tenets of that Church, or represented as undervaluing the purity, the simplicity, the sanctity of our own. No such thing. But I do wish to guard the House against unfair representations of the doctrines of another Church, with which we cannot be otherwise than partially acquainted, by shewing you in how very false a light the doctrines even of our own Church might be viewed, if the caprices of individual fancy, or the violences of controversial zeal, were to be admitted as evidence of those doctrines.

Turning then from the speculative tenets of the Roman Catholic religion, to the consideration of the political effects of that religion upon the conduct of its professors (which is the real point at issue) it has been argued by the right hon. and learned doctor and others, that it is quite impossible for Roman Catholics in any country to be sincerely loyal subjects to a Protestant state. Whenever they have been admitted to power under Protestant governments it is asserted they have al-

ways endeavoured to subvert them:—and, on the other hand, whenever they have held the ascendant they have always been hard masters to Protestant subjects. I will not undertake to maintain the tolerant spirit of the Roman Catholic religion in countries where it has been the established religion, and has had the power of the state in its hands. That is not, and God forbid it should be, the question which we are now discussing. The question is, whether the further relaxations which are desired—amounting undoubtedly to the admission of all individuals professing the Roman Catholic religion in this empire, to equal political franchises, equal civil capacities with their fellow subjects, would tend, in any the remotest degree, to subvert the Protestant establishment, and to establish the Roman Catholic religion as the dominant religion of the state. If this proposition can be made out by those who oppose the relaxations, they have gained their cause. I will not waste a word on the controversy whether the Roman Catholic religion, if so established, would, or would not, be an intolerant religion; would or would not exercise a merciless tyranny over the consciences and the persons of its Protestant subjects. That must never be put to hazard. And my efforts, for one, in the cause of my Roman Catholic fellow subjects, are at an end, if the overthrow of the Established Church can be shown to be the necessary or natural consequence of their success. But my difference with those who use this argument lies in this: that I cannot see the least ground of alarm for that danger which has been apprehended from the proposed concessions. I think it has not been shewn in debate, I think it is not to be deduced from history, that the Catholic subjects of a Protestant state have always been turbulent and aspiring and dangerous subjects. The Christian church was for ages unconnected with the civil power under which it lived, and yet exemplary in its obedience to that power. Such is eminently the tendency of the doctrines of Christianity. To shew that there is something in the peculiar doctrines of the Roman Catholic faith, or in those of the Irish Roman Catholic Church, which would change this general tendency, is the task of those who undertake the opposite argument: and even when they have shewn this, it will be incumbent upon them further to prove that the Popery laws as they now stand, are precisely calculated to

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meet the apprehended evil; that up to the point to which we have gone, the relaxations have been harmless; but that beyond this point concession is surrender.

But the priesthood, it is said, have an unbounded influence over the laity, and some of the priesthood hold opinions inimical to the state. If that be the case, what can be more plain, than that by the course which we now take in excluding the Catholic laity from those benefits to which they claim to be admitted under the civil constitution, in common with the rest of their fellow subjects, we unite the clergy and the laity together in one common cause, and leave the passions of the laity to be worked upon by that influence which you so much apprehend?—Grant to the laity those privileges from which the clergy are necessarily excluded, and I appeal to the common sense of this House, whether this be not the best chance of counteracting the dangers of clerical controul. Not that I admit, however, this indiscriminate imputation upon a class of subjects, whose morality and loyalty, I believe, cannot be justly questioned: I do not admit the Roman Catholic clergy of Ireland to be disaffected. But I contend that, supposing the imputation to be just, the surest way of withdrawing the laity from their influence is to put them in possession of their fair share in the rights, privileges and immunities of their country; and then to call upon them to perform the same duties in support of the same common advantages with the rest of their countrymen. Disaffection is rarely contagious, except when it meets with discontent.

Such, Sir, are the opinions which I have held upon this subject ever since I have been capable of forming an opinion upon it. I take no shame to myself for that, up to this period, I have not found an opportunity of declaring and acting upon them. I take no shame to myself for having on other occasions resisted the enquiry which I now recommend. I did so, on a view, a just view I think, I am sure an honest and well intentioned view, of public duty. While there existed in the breast of the sovereign an insurmountable obstacle to the entertainment of this question, an obstacle not of opinion, but of conscience; the only alternative left to a public man, who held the opinions which I profess to have holden on the question, was, either to push those opinions into action, at all the hazard to which such a course would

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be liable—at the hazard of one calamity too dreadful to be contemplated without awe and terror (a calamity under the affliction of which we are now actually suffering, and to which therefore I may now without impropriety allude)—or manfully to interpose between the conscience of the sovereign and the agitation of this question, at whatever risk of unpopularity or of misconstruction. This latter was the course which I thought it my duty to adopt. I persevered in it, under many taunts in this House, perhaps under some obloquy out of doors. But these taunts and that obloquy I patiently endured: and had it pleased Heaven to spare to us still the blessing of that reign, the untimely and calamitous eclipse of which we are now deploring, I would still have endured all manner of reproach rather than have let in upon the mind of an aged and venerable sovereign that overwhelming anxiety which the agitation of this question would have occasioned. Nor is there in this determination any thing for which I have to apologize, as inconsistent with the strictest theory or ordinary practice of the constitution. By the theory of the constitution, the sovereign is armed with a power of interposing his negative upon any measure which he conscientiously disapproves. In the practice of the constitution this power has been actively employed as lately as in the reign of king William. Had parliament adopted and pressed the Catholic claims to the last stage, in the last stage they might, and probably would, have been met by this extreme resistance. What advantage, therefore, in the trial? What danger in the conflict! Better was it surely to prevent an extremity, the results of which might have been such as those who were most interested in the question would themselves have been the foremost to deprecate. The Roman Catholics of Ireland are a loyal people; and they share with all their countrymen the qualities of generosity of heart, and warmth of feeling, and deep sensibility to kindness. They cannot, therefore, but acknowledge their obligations to a sovereign, whose reign, a contrast therein to that of his predecessors, has been one continued series of concessions and relaxations in their favour: and if those concessions and relaxations had arrived at a point beyond which not the policy but the conscience of the monarch would not suffer him to go—they would

surely have respected in him those rights of conscience which they claim for themselves; they would have contentedly postponed the completion of their wishes to a period, that in the course of human events could not be distant; and would have looked for the inheritance of what remained to be given to them, not with the impatience of an alien heir-at-law, but with the filial fondness and humility, with that patient and uncomplaining expectation with which a pious and affectionate son anticipates, yet deprecates the inevitable succession to his aged parent.—Such, I am confident, would have been the feelings of the Irish Catholics, could the obstacle which opposed the earlier entertainment of their claims properly have been explained to them:—and such, now that the melancholy circumstances of the present time have removed that obstacle, is the explanation which I feel no difficulty in giving of the opposition which I and others have hitherto made to a question which we are now anxious to promote.

Most unfortunate indeed it was that the existence of this obstacle had not been ascertained, when at the period of the Union hopes were held out to the Catholics of the consideration of their claims in an united parliament. That any promises were made I do not believe, that hopes were held out, I know not of my own knowledge. But hopes at least were conceived and not discouraged: and very confident I am that Mr. Pitt himself entertained a most sincere and earnest desire to couple the arrangement of this question with the great measure of the Union. I remember, as if it were but yesterday, the disappointment and concern which he expressed to me when he received a letter from lord Cornwallis, then lord lieutenant of Ireland, conveying to him the information, that although the Union could be carried, the arrangement of the Catholic question could not be previously attempted in the Irish parliament with any hope of success. Knowing as I do how anxiously he had laboured to effect that great settlement, and how important he thought it to the peace and strength of the United Kingdom, I never could bring myself to suppose, as some persons appear to do, that he meant only to practise delusion both upon Ireland, and upon England; that he had never seriously considered the question of securities, and had in fact none to propose.—Such I understand has been the lan-

guage used in some other place, and by persons calling themselves his friends. We read of a nobleman in queen Elizabeth's reign, who desired that it might be engraven on his tomb, as his proudest epitaph, that he was 'the friend of sir Philip Sydney'; but I do not find that lord Brooke at the same time represented sir Philip Sydney as an empty pretender, a vain-glorious boaster, a deliberate deceiver of his country.

Sir; in reviewing the whole of this important question, in considering the grounds upon which the claim of our Catholic fellow subjects to be admitted to a participation of the rights and liberties of Britons, has been argued, I think it may be fairly affirmed, that the burden of the proof lies with those who contend for the indefinite continuance of exclusion. My right hon. friend the Chancellor of the Exchequer has desired you to look to the examples of other countries, for warning against the evils of papal power. An hon. and learned gentleman has justly answered, that it is not a question of Popery, or No Popery, that we have to decide; not a question of the comparative excellence of doctrines, or church discipline; but a question as to the policy of a Protestant government towards Popish subjects: and he has instanced the province of Silesia, ceded by Austria to Frederick the Great, who finding the ascendant religion of the country Catholic, left that religion as he found it; nor did any subsequent conduct of his Catholic Silesian subjects give him cause to regret that policy. The conduct of this country towards Canada is an example which touches us more nearly. We did not feel it necessary, when Canada became by conquest a British province, to proscribe the old Catholic religion of the country, and dismiss Catholics from all places of trust. The two religions mix in office, in arms, in the legislature together: and will any man say that Canada has proved less loyal or less safe on that account to this day?—Another example occurs in the history of the first partition of Poland. That country was divided in ancient times into a variety of religious sects, all participating indifferently in the offices of state; some time about the year 1736, the Roman Catholic being the predominant religion as compared with any other particular sect, though by no means so numerous as the others collectively, had succeeded in establishing an ascen-

dancy for themselves, and excluding all others from power or employments. The leading powers of Europe, solicited by the Dissidents (as they were called) interposed and remonstrated in their favour. Who were the foremost in this interposition? This country had a minister in Poland, Mr. Wroughton, who was ordered to represent to the then dominant sect the impropriety as well as the hardship of this exclusion of their fellow subjects, on account of their religious tenets, from political office. Sir, the manner in which this remonstrance on our part was then met by the Polish government, is a lesson to ourselves and to other nations. The dominant party stated the example of England against herself; and said, England, of all countries, has no right to remonstrate, she whose Catholic subjects are, on account of their religion, excluded from all power, and kept in a state of subjection. Such was the answer of the government: and even the Dissidents in whose behalf we interfered, instead of vindicating England from the charge so justly urged against her, had only to say, that it was hard to turn the example of England against them; since they, it was well known, were never conquered by their fellow subjects, whereas the English treated the Irish Catholics as they treated them, because the Irish were a conquered people.

Sir, it is as useful sometimes to look to the opinion of foreign countries upon the policy of your own, as it is to compare the policy of other countries with it. In the instance which I have just stated, we may perhaps learn a double lesson: first to doubt the justice of a conduct, which afforded to one party a justification of oppression, and could be defended by another, only on the odious plea of force; and secondly, to consider whether the liberal and generous policy, which we recommended to the dominant party in Poland, might not be wisely and advantageously applied by ourselves at home. If I am answered, that the dominant power in Poland at the time was the Catholic, and that it is the nature of Catholicism, wherever it can gain the ascendant, so to use its power;—I have only to reply, that if we cannot prevent the Catholic government of other nations from using their ascendancy to oppress and to persecute their Protestant subjects, I am anxious that they should at least not have our example to plead in their excuse. I have farther to remark, that this oppression of the Dis-

aids was the first cause of that interference of foreign powers in the affairs of Poland, which led finally to the dismemberment and partition of that kingdom.

The history of Ireland surely does not encourage a perseverance in a system, the absurdity and impolicy of which are recognised in the preamble of every act of parliament that has passed in the course of his present Majesty's reign for ameliorating the situation of the Roman Catholics. The efficacy of that system of severity, of which we now propose to repeal the remnant, has been not imperfectly tried. It was well enough contrived for its purpose; if a purpose so unnatural as that of depressing and extinguishing a whole people could be successful. It met the Roman Catholic at his birth with penal enactments, which precluded his regular succession to the patrimony of his ancestors; dividing that patrimony in gavel kind amongst the junior branches of his family, on condition of the abandonment of their religion, to the exclusion of the legitimate heir. It proceeded to the extirpation of his religion and morals—by precluding the Roman Catholic priests from education at home, and driving them for instruction to the charitable institutions of foreign and hostile states; and when after such foreign education they presumed to return home, and to administer spiritual instruction to their flock, prosecuting them as criminals and outlaws, setting a price upon their heads, and hunting them down like wild beasts. It forbade the acquisition of landed property to the Catholics; and studiously restricted their commercial industry; it sowed dissension and distrust in families, and marked them for distrust and contempt among their fellow citizens. But it would revolt the feelings of this House were I to recite in detail the catalogue of those cruel and disgraceful statutes, in the framing of which a perverse ingenuity seems to have been employed to find out means for exterminating every germ of individual happiness, and every moral and social principle of the human heart. Such was the system to which we gave a trial. Happily it failed, and we have come back from this barbarous system, to one of good policy, of humanity. We have acknowledged the erroneous severity of our ancestors, by the successive repeal of much the greater part of the code which pressed upon our Catholic fellow subjects. We have done this: and

have we any reason to repent of it? Has not the growth of Irish prosperity kept pace with that of Catholic happiness and freedom?

I am willing to agree with you, that we have gone so far, that we ought not to proceed farther without such securities as may be reasonably required, and as are necessary to the preservation of our own Protestant establishments. What are those securities? That is a question which inquiry and consideration alone can enable us to answer: and for the purpose of ascertaining that important and indispensable point, am I desirous that the present motion should not be rejected. The right hon. and learned gentleman (Dr. Duigenan,) who seems to have been left to sustain alone the brunt of this argument, has told us, that the wealth and numbers of the Catholics in Ireland are vehemently over-rated by their advocates: he affirms that the whole population of the country does not amount to more than 3,500,000, instead of 5,000,000, as so repeatedly and confidently stated by others; and he says, that the proportion of Catholics to Protestants, is not more than two-and-a-half to one—instead of being nine to one as affirmed by their advocates: and the right hon. and learned gentleman supports his assertion, by averages which he says he has taken from two parishes in a Protestant province; and by the returns of the hearth-money collectors in Ireland about 50 years ago. It may be observed in passing, that the learned doctor's assertion upon this point appears to refute his argument upon another. For, if it be true that the Catholic population of Ireland be in point of numbers so little superior to that of the Protestants, then the danger of conceding their present claims, which is supposed to be proportioned to the physical power which the Catholic could employ to subvert the Protestant establishment in church and state, diminishes in the same ratio. The learned doctor, indeed, does not carry his undervaluation of the numbers of the Catholics quite so far as Louis XIV. did that of his Protestant subjects; in many of the latest decrees of that monarch on the matter of religion, it was assumed that there were no Protestants in France. Now, the right hon. and learned gentleman does not assert that there are absolutely no Catholics in Ireland: but he avers that the whole of that persuasion of people do not possess one fiftieth of the landed

—and not above one tenth of the mercantile property of the country. Here again the learned doctor's facts are strongly at variance with his arguments. You have on your table, in favour of those claims, and in direct contradiction to the learned doctor's statement of the Protestant sentiment of Ireland, the petitions of a large proportion of the Protestants of that country. The learned doctor has told you that those petitions of the Protestant population are merely signed by tradesmen and shop-keepers, whose signatures were obtained by the apprehensions that if their names were refused, they would be deserted by their Roman Catholic customers.—Now if it be true that the Catholics bear so trifling a proportion as stated to their Protestant fellow-subjects in number, and possess among them only one fiftieth of the landed and not one tenth of the other property of the country, I should be curious to know how the threat of withdrawing their custom from Protestant tradesmen could induce the latter to sign a petition in favour of the Catholics; a petition which their Protestant customers, possessing nine tenths of the money and forty-nine fiftieths of the land, consider (according to the learned doctor) as tending to the subversion of their property and religion. I cannot help thinking that the Protestant tradesmen of Ireland have either very different views of the merits of the Catholic cause, or very different notions of the importance of the Catholic population, from those which the right hon. and learned gentleman would induce us to adopt as the rules of our conduct.

As to the councils of Constance, of Basil, of Trent, and others, upon the expressions of whose decrees the learned doctor would have the House form their judgment of the Catholics of this day, it should be recollected that the first and second of those councils were held before the Reformation; and consequently are indicative not of the opinions of Catholics, as contradistinguished to Protestants, but of the general darkness and bigotry of the age. As to the council of Trent, it would indeed be hard that the Catholics of these times should be made answerable for the errors of centuries so remote. But whatever be the doctrines that are held to be dangerous, and supposed to be still in force, all that can be said is, that whenever the legislature shall make up their minds to entertain the question of Catholic concession seriously, it will be for them then to couple the boon with

such restrictions and qualifications, and to accompany it with such provisions, as they think necessary for our own security. Enact what you think right: and then leave to the Catholics to accept or refuse what you offer on the conditions which you annex to it. If they accept (which they will) the work is done. If otherwise, you have the consolation to reflect that you have done your duty by them. Whatever may be the result, you will have nothing to reproach to yourselves. Go as far as you can with safety to the establishments. Do not exact from them terms that are unnecessary: but be rigorous in imposing such conditions as shall free you from all real, I had almost said, all imaginary danger. Do this, and I am persuaded your conduct will meet with the approbation and concurrence of this country; whilst on the other hand you will unite the whole heart and soul of the people of Ireland, in common feeling with the interests and the government of Great Britain.

In addition to the arguments and the authority of the learned doctor, and in contradiction to the Petitions of the Catholics and Protestants of Ireland in general, an honourable member has reminded us that the corporation of Dublin are averse to the measure, as appears by their Petition on the table. But whatever respect I may be inclined to entertain for the city of Dublin, in its corporate capacity, I should hope this House will find little disposition, to yield on this occasion, to the influence of a municipal body, who on the recent and signal occasion alluded to just now by an hon. member on the other side of the House, suffered their own conduct towards a gallant officer of their country to be marked by religious antipathy and political intolerance.—The conduct of the corporation of Dublin in that instance appears to me to exhibit in miniature, the complete character of the whole system recommended by the opposers of this question, with respect to that unfortunate country. You allow them to spend their blood in the common cause, but you will not allow them to participate in your rights and privileges. You give them the sword, but withhold their freedom. Such, it seems, is now the policy of the corporation of Dublin,—such has formerly been the policy pursued by the British government in that country—a policy, of which I now earnestly recommend, and anxiously anticipate, the abandonment.

There are two, and only two other Pe-

titions; from quarters, to be sure, of the greatest weight, and entitled to the utmost deference and respect—the Universities of Oxford and Cambridge. With respect to the Cambridge Petition, I know nothing but what I gather from reading it. I know nothing of the manner in which it was procured; and cannot judge as to the degree in which it may be supposed to speak the sense of the University. But so far as I can understand the Petition itself, I really think that in agreeing to the motion now before the House, we should not be going against the prayer of this Petition: nay rather that by so doing, we should, in fact, comply with it. The learned authors of that Petition have acted under a mistake as to a matter of fact, which I suppose, must have proceeded from imperfect information. They apprehend that we are about to do that, which I trust we have no intention of doing,—notwithstanding that my right hon. friend the Chancellor of the Exchequer so earnestly recommends it—to precipitate the measure of concession to the Roman Catholics by a Bill, before any inquiry by a committee or otherwise has been instituted upon it. This indeed my right hon. friend, and others, who are enemies to the measure of Catholic concession, have frequently recommended. The University of Cambridge probably had heard of this recommendation, and mistook the policy of the enemies of the measure for the intention of its friends. But they have been misled. This part therefore, and it is by far the most essential part of their Petition, applies to fears which have no existence: and I am happy to think that in declining to proceed by Bill, at my right hon. friend's suggestion, we have the countenance and authority of so learned and respectable a body. There are some passages in their Petition, however, wise no doubt in themselves, and conveying with mathematical accuracy to the initiated the grounds of their expressed apprehensions; but which I humbly confess that,—as we of Oxford are not so strict and scientific in our deductions,—I entirely lose my logic in endeavouring to understand. They have discovered by some peculiar process, that the power of the Pope has become more redoubtable in proportion as he has been deprived of all dominion and influence in Europe. When he was in the full plenitude of power, and possessed an influ-

ence that extended over Christendom, we had, it seems, less to fear from him, and from his authority over the Catholics of Ireland, than now that he is a prisoner, in poverty and in chains! The fact may be so: but I humbly submit that it is not so self-evident a fact, but that even the most learned University might have condescended to exhibit the chain of reasoning by which it connected their premises with their conclusion: but I am willing to admit the fact, though I do not comprehend it. With another passage I beg leave to express my entire concurrence. It is that in which they state, or appear to intend to state, that even in papal times the constitution of this country was sufficiently guarded against papal encroachments by antient laws;—the laws, I presume they mean, of Provisors and Præmunire. It was so: and this is, as the University wisely suggests, a matter of infinite importance in considering the subject now before us. Upon the whole then, the Petition of the University of Cambridge appears to me highly favourable to the motion before the House. It sanctions the form of our proceedings by inference, if not in direct terms; since it deprecates a proceeding by Bill, which was the only alternative:—it suggests the possibility, the facility rather, of providing for the safety of our establishments, by reminding us that in former times we were safe even under Roman Catholic sovereigns against the Roman Catholic power:—and finally, by declaring the Pope to be at this moment in the most formidable state in which he can possibly be, it enables us to judge what is the utmost degree of danger to be apprehended from him; and puts to shame the exaggerated fears of those who would lead us to tremble at we know not what, that is to take place we know not when, and to be brought about we know not how. We have the authority of the University of Cambridge for believing that the danger from the Pope is at this moment at its height: and surely we all feel that at this moment it is not very formidable.

As to the Petition of the University of Oxford, I must in the first place declare, in contradiction to assertions and insinuations which I have heard both on this, and on the former night of the debate, that upon authority the most respectable and indisputable, I am enabled to deny that there was any unfair practice made use of to obtain this Petition either by in-

fluence, or by surprise. Due notice was given of the intention to bring forward. A more than usually ample discussion took place upon it. A large majority concurred in voting it. And the Petition must be considered as containing as genuine an expression of the sense of that venerable body, as any public act of theirs that ever was framed. Sir, for the sense of the University of Oxford, thus deliberately expressed, I shall always entertain a filial reverence. I shall be always happy to conform my public conduct to it, when a strong and conscientious impulse of public duty does not carry me another way. I respect and applaud the natural and just anxiety for the established constitution in Church and State which the University of Oxford cherishes with characteristic fidelity, and which she inspires (and long may she inspire!) into the youth committed to her charge. This sentiment is eminently displayed in the Petition now upon our table: but it is displayed with a moderation and good sense, equal to its zeal and fervency; and in a manner which, while it entitles the prayer of the Petition itself to greater, and more respectful attention, leaves those who are the most anxious to testify that attention, at liberty, without suspicion of disrespect, to differ as to the mode which is pointed out in the Petition, for securing the object which we must all equally have in view.

I observe with pleasure the judicious and considerate qualification which the words "in our judgment" (or words to that effect) give to the proposition laid down in the Petition, that the present laws against the Roman Catholics are not more than sufficient for securing our present happy constitution. This proposition is, as it ought to be, stated as matter of opinion. It is no disrespect to those who hold that opinion to say that as such it may be liable to be varied by a more accurate knowledge than they may at present happen to possess, of the actual state of the laws, the sufficiency or excess of which is in question, and judging from the degree of knowledge which people in general possess, which I myself possessed, or found others possessing, of the state of these laws (before the agitation of the present question made them matter of particular inquiry) I impute nothing disparaging to the resident members of the University of Oxford, whose ordinary researches and habits of life do not lead them to a very

careful examination of the statute-book, when I suppose that they, in common with others, may have something to learn from such an exposition of the penal code as might be gathered from the labours of the committee which the right hon. gentleman has proposed.—I may even venture to entertain a strong belief that, when such an exposition shall have been made, the University of Oxford cannot persist in the opinion, expressed or implied in their Petition, that the present state of the penal code is precisely that in which it ought to remain.

I do not feel therefore that I am contravening the spirit of their Petition, in suggesting to them the expediency of obtaining a more minute acquaintance with the code to which it refers, before they form a final and decisive judgment upon it. I do not pretend to disguise that, though there are many points of alteration or repeal in which I verily think it probable that after due examination their opinion might not differ materially from mine, yet that there may after all be a difference as to the extent to which repeal or alteration should be carried. This is possible; but with much greater confidence can I say that as to the object of their Petition, I am heartily agreed with them; that whenever we approach the confines of real danger to the establishments of the country, I shall be as little inclined to go forward, and as determined to resist encroachment, as they. I certainly do think, however, that securities may be provided against all the dangers which they appear to apprehend. This, however, is a consideration for a future stage of the business. At present, the question that we have to decide is preliminary to settlement; it is for the means of correct information.

In giving my vote for a committee to ascertain the state of the laws affecting the Roman Catholics, I do so in the persuasion that the time is come when that subject must be taken into consideration; when we can no longer turn away from it, or dispose of it upon grounds distinct from the subject itself;—when the obstacles which have hitherto disinclined us from looking at it being removed, we must fairly make up our minds to take some step towards putting ourselves in a situation to come to a final decision upon it. And whatever be the authorities which are opposed to that decision, I cannot suffer them to deter me from a vote this night, in which, had Mr. Pitt been now

happily living, I entertain a most sincere conviction that Mr. Pitt would this night have concurred.

Mr. *Stuart Wortley* (amidst the general cry of Question, question.)—Sir, I rise only for one moment, to ask a question of the right hon. gentleman opposite (Mr. Ponsonby), whether at the time he made his communication to the Catholics of Ireland, he was himself lord chancellor of Ireland, and the duke of Bedford lord lieutenant.

Mr. *Ponsonby*. I was at the time lord chancellor of Ireland, and the noble duke lord lieutenant.

Mr. *Stuart Wortley*. Then, Sir, I can only say, that under those circumstances, such a communication was, in my opinion, to say the best of it, a piece of high indiscretion. But, however, convinced as I am of the necessity of going into the proposed enquiry without delay, I shall give my vote for the motion.

Mr. *Grattan* waved his right of replying, observing, that the right hon. gentleman who had lately sat down, (Mr. Canning) had so ably, and so eloquently answered every argument against the motion, that he should hurt the cause, was he to add another word to his eloquent oration.

The Question being loudly called for, the House divided, when there appeared, Ayes 215; Noes 300. Majority against going into a committee on the Catholic Claims, 85.—Adjourned at half-past six, Saturday morning.

List of the Minority.

Abercrombie, hon. J.	Brooke, lord
Adair, R.	Burrell, hon. P. D.
Althorpe, visc.	Buske, W.
Anson, G.	Butler, hon. J.
Antonie, W. L.	Byng, G.
Astley, sir J.	Bradshaw, hon. A. C.
Aubrey, sir J.	Burdett, sir F.
Barham, J. F.	Bourne, W. S.
Bligh, T.	Campbell, lord J.
Bernard, Scrop e	Cavendish, lord G.
Bennet, R. H. A.	Cavendish, H.
Bennet, hon. H.	Chaloner, R.
Bouverie, hon. B.	Canning, rt. hon. G.
Bagenal, W.	Canning, G.
Binning, lord	Calcraft, T.
Blachford, B. P.	Calvert, N.
Bewicke, C.	Craig, J.
Biddulph, R. M.	Clonmell, earl
Brand, hon. T.	Cowper, hon. L. S.
Brougham, H.	Cockerell, sir C.
Browne, A.	Cocks, J.
Bunbury, sir C.	Coke, T. W.

Coke, E.	Knight, Robt.
Colbourne, N. W. R.	Knox, hon. T.
Combe, H. C.	Lambton, R.
Creevey, T.	Langton, col.
Cuthbert, J. R.	Leach, J.
Daly, rt. hon. D. B.	Lemon, C.
Dillon, hon. H. A.	Lemon, J.
Duncannon, visc.	Latouche, J.
Dundas, C.	Latouche, R.
Dundas, hon. L.	Lamb, hon. W.
Dundas, hon. C. L.	Lester, B. L.
Eden, hon. G.	Lloyd, sir E.
Elliot, rt. hon. W.	Lloyd, J. M.
Ellis, C. R.	Longman, G.
Evelyn, L.	Lyttleton, hon. W.
Fellowes, hon. N.	Macdonald, J.
Ferguson, R. C.	Maddocks, W. A.
Fitzgerald, A.	Markham, J.
Fitzgerald, rt. hon. M.	Martin, H.
Fitzgerald, lord H.	Martin, R.
Fitzpatrick, rt. hon. R.	Mahon, hon. S.
Fitzroy, lord C.	Marryat, Jos.
Fitzroy, lord W.	Matthew, hon. M.
Foley, J.	Meade, hon. J.
Folkes, sir M.	Maule, hon. W.
Folkestone, visc.	Mildmay, sir H.
Forbes, visc.	Mills, Wm.
Frankland, W.	Milton, visc.
French, A.	Montgomery, sir H.
Freemantle, W. (Tel- ler)	Moore, P.
Gell, P.	Morpeth, visc.
Giles, D.	Mosley, sir O.
Goddard, J.	Mostyn, sir Thos.
Grant, C.	Myers, T.
Gordon, W.	Nugent, lord
Gower, earl	Newport, rt. hon. sir John
Gower, lord G. L.	Neville, hon. R.
Greenough, G. B.	North, D.
Grant, G. M.	O'Brien, sir E.
Grey, hon. W. B.	O'Callaghan, J.
Greenhill, R.	Odell, W.
Greenfell, P.	Oglander, sir W.
Guisse, sir W.	Ord, W.
Grattan, rt. hon. H.	Osborne, lord F.
Halsey, Jos.	Ossulston, lord
Hamilton, sir H.	Paget, hon. E.
Hanbury, W.	Paget, hon. C.
Herbert, hon. W.	Palmer, C.
Hibbert, G.	Peirse, H.
Hippisley, sir J. C.	Pelham, hon. C.
Horner, F.	Pelham, hon. G.
Howard, Henry	Piggott, sir A.
Howard, hon. W.	Prendergast, M.
Howarth, H.	Pochin, C.
Hughes, W. L.	Ponsonby, rt. h. Geo.
Hume, W. H.	Ponsonby, hon. G.
Hutchinson, hon. C.	Ponsonby, hon. F.
Huskisson, W.	Parnell, H.
Hurst, R.	Power, R.
Hussey, T.	Poyntz, W. S.
Hobhouse, B.	Price, R.
Herbert, H. A.	Prittie, hon. F.
Hamilton, H.	Pym, F.
Jekyll, J.	Quinn, hon. Windham
Jolliffe, H.	Ridley, sir M. W.
Kensington, lord	Romilly, sir S.

St. Aubyn, sir J.	Taylor, W.
Salisbury, sir R.	Temple, earl
Savage, F.	Templetown, visc.
Saville, A.	Thornton, H.
Scudamore, R. P.	Tierney, rt. hon. G.
Sebright, sir J.	Tighe, William
Sharpe, R.	Townshend, lord J.
Shaw, R.	Tracey, C. H.
Sheridan, right hon.	Trench, col.
Richard Brinsley	Vernon, G. V.
Shipley, W.	Walpole, hon. G.
Simpson, hon. J.	Ward, hon. J. W.
Sinclair, G.	Warrender, sir G.
Smith, G.	Western, C. C.
Smith, J.	Wharton, J.
Smith, Wm.	Whitbread, S.
Speirs, A.	Wilkins, W.
Somerville, sir M.	Williams, O.
Stanley, lord	Winnington, sir T.
Talbot, R. W.	Wrottesley, H.
Tarleton, B.	Wynn, C.
Tavistock, marquiss	Wynn, sir W. W.

The following gentlemen paired off in favour of Mr. Grattan's Motion.

Baring, sir T.	Hamilton, lord A.
Curwen, J. C.	Miller, sir T.
Campbell, G.	Russell, lord W.

HOUSE OF LORDS.

Monday, April 27.

ORDERS IN COUNCIL.] The Earl of *Derby* presented a Petition from the merchants, traders, &c. of *Liverpool*, against the Orders in Council. His lordship stated, that 6,000 signatures were attached to the Petition, and observed, that he was authorised by the deputation from whom he received the Petition, to state, that they did not conceive that the Declaration recently issued by his Majesty's government would have the effect of at all relieving the distresses which the petitioners suffered in consequence of the operation of the Orders in Council.

The Petition was ordered to lie on the table.

The Earl of *Lauderdale* adverted to the object of the Petition, observed, that the right hon. gentleman who was the Vice President of the Board of Trade, (Mr. Rose,) had in a conference with a deputation of manufacturers upon the subject stated, that England and France were like two persons with their heads in two pails of water, and the trial must be which could stand drowning the longer. The Declaration issued by ministers made the continuance of this system depend upon the pleasure of Buonaparté, and if he thought he saw the English merchant was more in danger of drowning than the

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French merchant, was it to be supposed that he would not still continue the system?

Earl *Bathurst* observed, that the right hon. Vice President of the Board of Trade had publicly contradicted the use of the expression which had been attributed to him, and which had been mentioned by the noble lord.

The Earl of *Lauderdale* contended, that the public contradiction of the right hon. gentleman, amounted only to this, that he had been hardly dealt with, with respect to the expression attributed to him, but not to a denial of the expression itself.

INFORMATIONS EX-OFFICIO.] Lord *Holland* adverted to the motion he formerly made relative to Informations Ex Officio, and stated his object now to be, to present a Bill or Bills to the House relative to this extraordinary and anomalous mode of proceeding. He was not, however, fully prepared, and he therefore merely now mentioned the subject, that he might not be thought to be acting unfairly if he introduced his intended measure at a very short notice.

VOTE OF THANKS TO THE EARL OF WELLINGTON, &c. FOR THE CAPTURE OF BADAJOZ.] The Earl of *Liverpool* rose, pursuant to notice, to move the Thanks of the House to the Earl of Wellington, and those divisions of the army which were concerned in the capture of Badajoz. In calling their lordships' attention to this gallant exploit, it was hardly necessary for him to observe, that the operation combined in itself the two circumstances which had always been considered as constituting the best title to the honour of their lordships' thanks,—first, the importance of the object, and next the magnitude of the effort, and the obstinacy of the resistance encountered. If they looked at the military history of Badajoz in this as well as in former wars in the peninsula, they would find, that situated on the southwest frontier of Spain, this fortress had always been regarded as an object of primary importance. In former wars it had stood many severe sieges; and it was somewhat singular, that the efforts then made to reduce it had never been successful. In the year 1658, when the struggle for Portuguese independence took place, this fortress was deemed an important object for the Portuguese, and it was accordingly attacked with vigour. The Portuguese were more than four months in prosecuting the siege

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—they lost half their army,—and, after all, the attempt proved unavailing, and the enterprise was abandoned. In the war of 1705, generally known by the name of the Succession War, Badajoz was besieged by the English, Dutch, and Portuguese troops, under the command of an ancestor of a noble lord whom he had in his eye. A most gallant effort was made on that occasion; and had it not been for particular circumstances, it would in all probability have been successful: but in 14 days from the opening of the trenches, the attempt was unavoidably given up as hopeless. In the course of the present war in the peninsula, also, Badajoz had been considered as an object of the greatest military importance. Their lordships might remember, that in the early part of the last year, the place was attacked by the French under the command of marshal Soult. They broke ground on the 3d of Feb. and met with a most gallant resistance on the part of the governor, and the troops under his command. The resistance would, in all probability, have been effectual, or the capture of the place would have at least been so long delayed, as to have contributed essentially to ultimate success in the contest, had not the governor most unfortunately died early in the month of March; and whether from the misconduct of his successor, or from some more serious cause, on the 11th of March the fortress capitulated. But even here it was to be observed, that the French under the able experienced leader whom he had mentioned, had not made themselves masters of the place till after a siege of 36 days. At a subsequent period, their lordships knew Badajoz had been attacked by lord Wellington when the French collected their troops from all quarters of the peninsula. Their northern army, which they called the army of Portugal, the southern army, the troops employed in the eastern parts of the peninsula, and detachments from the garrison of Madrid, all assembled to force the allied army to raise the siege, or risk a general battle for the protection of its operations. With such a force advancing against him, lord Wellington did not feel it prudent to continue the siege and give battle to the enemy at the same time; and therefore with the greatest judgment and propriety resolved to abandon the place. The siege could not then have been renewed till the month of June, a season of the year when, from the unhealthiness of that part of the country, the operations

could not have been carried on without great loss.

In the present year, after the capture of Ciudad Rodrigo, lord Wellington determined with the first opportunity to direct his efforts against Badajoz. It was fairly to be contemplated, that the French would do every thing in their power to obstruct these sieges; and, therefore, it was an object of the utmost importance to get possession of the fortresses, in as short a time as possible from the commencement of the operations. Their lordships had already had an opportunity of expressing their opinion upon the siege of Ciudad Rodrigo. That place had been taken with a rapidity altogether unparalleled, and utterly astonishing even to the enemy, whose commander had calculated that he would have been in time enough for its relief, if he arrived there at a period, which turned out to be nine or ten days subsequent to the date of its capture. The exertions made in the siege of Badajoz were not less extraordinary than those which distinguished the attacks upon Ciudad Rodrigo. Their lordships had seen the proofs of the strenuous resistance made on that occasion,—of the difficulties encountered in the course of the siege; but, notwithstanding every opposition, in 12 days from the opening of the trenches, the place was in the possession of the British army. In looking at the circumstances attending this noble effort, it was impossible for any heart not to feel a glow of admiration at the skill and decision of the commander, and the gallantry of the officers and troops. The conduct of general Picton had inspired a confidence in the army, and exhibited an example of science and bravery which had been surpassed by no other officer. His exertions in the attack on the 6th could not fail to excite the most lively feelings of admiration. It appeared that three practicable breaches had been made, that the enemy had expected the attack to be made by these breaches, and had employed every imaginable means for effectual resistance. That resistance, (he had this from an eyewitness,) was one of the most formidable efforts that had perhaps ever been made in any war. Their lordships, indeed, might judge of the nature of that effort, when they considered its effect upon troops certainly not liable to be deterred by difficulties in the execution of any hazardous enterprize, whatever might be the obstacles to be surmounted. On the one

hand general Picton, and on the other general Walker, however, had succeeded by escalade, at the extremities of the place. It was impossible to contemplate without admiration, the conduct of the latter attack, which was only designed as a feint at first, to be turned into a real attack afterwards, if circumstances should allow. That division had got into the fortress by escalade, where there was no breach, and in the face of a strong bastion. It was impossible to contemplate this occurrence without feeling it due to general Walker to say,—and a higher praise could not well be bestowed—that his conduct had sustained the reputation which he had acquired on former occasions. He hoped he would live to give his country the benefit of those farther services which he had proved himself so capable of rendering. This was the officer who had distinguished himself so highly at the battle of Vimiera, where he commanded the 50th regiment, and manœuvred it in such a manner as to defeat the efforts of a body of the enemy five times the number of his own troops. So conspicuous had been his merit on that occasion, that the French general who was then taken, without knowing who general Walker was, earnestly desired to be introduced to him, stating that he had done what he had never seen done before in any battle. He thought it due to general Walker to advert to this circumstance, and he had only farther to say, that the vigour, promptitude, and spirit, which this excellent officer had displayed at Vimiera, were at least equalled by his conduct in the attack of Badajoz. It would be in vain to attempt to particularize the conduct of other officers where all had so eminently distinguished themselves. The public dispatches must have apprised their lordships of the gallant conduct of generals Colville, Kempt, Bowes, and the other officers concerned in this gallant enterprize. There was one circumstance, however, which he must not omit to mention, as it was worthy of particular observation. It happened, that, owing to the indisposition of some other officers, the command of a most important division of the troops, the light division, fell upon a young officer, not above the rank of lieutenant-colonel. This was colonel Barnard, whose conduct had been spoken of with the admiration which it deserved. He was induced by several considerations, to advert to this circumstance. He mentioned it because he had the honour to

know this gallant officer, and was proud that he had had an opportunity of so highly distinguishing himself. But he mentioned it, chiefly with another and more important view,—that of calling their lordships' attention to the race of young officers, that were rising under the auspices and command of the distinguished leader of the combined armies. Here was a body of officers forming under lord Wellington, which would constitute a shield of strength, such as had, perhaps, never before existed in any other country, or, indeed, in this, on any former occasion. Having said thus much of the gallant exploit for which he called for their lordships' thanks, and of the merits of those concerned in it, he felt it impossible not to touch on the loss which our army had sustained. On that subject, there could be but one feeling in the House, and in the country at large. But he hoped the friends and relatives of those who so gloriously fell, would derive consolation from the fame of the illustrious dead; from the reflection that they had performed the most eminent service to their country, and that if they had fallen, they fell not in vain. They had died in a glorious cause, under a commander, who was regarded by the army with the most enthusiastic admiration, and in the discharge of a duty the most essential for promoting the farther success of the war. In looking at this part of the subject as a parliament and a nation, they must have observed, that there was no point of lord Wellington's conduct more remarkable than his anxiety on all occasions to spare the lives of the men under his command as much as possible. He had had an opportunity of knowing more fully than most others, that it was the ruling principle of his conduct, never to endeavour to gain by a battle that which he could gain without it. This was a proper principle on all occasions, and under all circumstances; but more particularly with regard to this country. Their lordships had seen how perseveringly lord Wellington had acted on this principle in the operations at Torres Vedras. His language, then, was this—"I have an opportunity of attacking the enemy with a full confidence of success; but I think I can accomplish my purpose without it, and therefore I shall not expose the lives of my men to unnecessary hazard." On other occasions lord Wellington had acted on the same principle. The attainment of the present object had been,

indeed, attended with great loss to the British army; but it ought to be recollected, that nothing was more to be avoided than a protracted operation; and even with a view to the preservation of the lives of the soldiers, as well as to the ultimate success of the war, the attack upon Badajoz ought to be considered as a most judicious enterprize. The loss ought to be compared with the magnitude of the object; and in this view it would be found to be less in the present instance, than in many operations at the most distinguished period of our military history. If their lordships would look at the operations under the duke of Marlborough, they would find that at the siege of Lisle, the allied armies had lost 12,000 men; at the siege of Douay, 8,000; at the siege of Aire, 7,000; and at the siege of Toulon, where they failed, 13,000 men. The loss in an attack such as that on Badajoz, might indeed be severe; but, however much to be regretted, it must be regarded as in all probability less than that of a protracted siege. There was one other point to which he was desirous of calling their lordships' attention before he concluded. Their lordships must have observed with peculiar satisfaction, that the military operations of this country had, within these few years, assumed, an entirely new character. This he said, without by any means undervaluing its efforts in former wars; but such was now the state of the world, that in addition to strength and resources, a nation, in order to be secure, must combine with that strength all the advantages of art and science. The operation now under consideration could not fail to suggest the remarks which he had just made. On all occasions, indeed, British troops had shewn the most distinguished and pre-eminent valour in the field, but in the course of the last century, they had been but little accustomed to the science of attack upon fortified places. If they had still been defective in that species of warfare therefore, we ought not to have been disheartened,—we ought to have known that our soldiers would from experience acquire this art if essentially necessary; but we had the satisfaction to find from the attacks upon Ciudad Rodrigo and Badajoz, that if our troops were the best in Europe in the field, which he supposed none would dispute with us, they were also not less formidable in attacks upon fortified places. It was well known what resist-

ance these places were capable of making and had made against other forces; and it was known, also, that before the British army under lord Wellington, Ciudad Rodrigo had fallen in eleven days, and Badajoz in twenty. All this must afford peculiar satisfaction to those who looked upon the course of the war in the peninsula as affording the best hopes of ultimate success in the contest. They must feel the high importance of this operation: and even to those who doubted or thought differently, if any now did so, it must appear a great advantage. They could not but see what strength it afforded for the defence of the country, if the battle were to be fought on our own ground, in the discipline and skill which must be acquired in the course of these operations, by such a British army, under such a leader. He concluded by moving the Thanks of the House to the general, the officers, and troops, in the usual manner.

Lord Holland observed, that he had always acknowledged the great talents and services of lord Wellington; and on the present occasion, he could not help declaring his concurrence with the noble Secretary in his praises of that distinguished military character, to whose high merits he was happy to bear his warmest testimony. He was one of those who had considered all the hope we had of ultimately succeeding in driving the enemy from the peninsula, as resting upon the skill and activity of lord Wellington; and that hope was certainly much increased by the operation for which their lordships were called upon to vote their thanks. In no operation of the war, in his opinion, had the skill, judgment, and decision of lord Wellington been more marked, both as to mode and time of action, than in this. He felt, and all must feel the afflicting loss with which it had been attended; but though the loss in actions of this kind was more apparent, it was not usually greater than the losses suffered in protracted sieges. When they looked at the moral effects of the attainment of this great object, they would probably counterbalance the loss, severe as it had been. He took it for granted that it was necessary either to storm the place, to abandon it, or risk an action with Soult. The time, then, was exactly that in which it was most desirable for the British that the place should be attacked. With regard to the hopes of ultimate success, it had always been his principle not to mix political speculation of

that kind with motions of this nature. He would adhere to that system now. But this, however, he might say, that it was clear the French, from their having a great deal to do in other quarters, or for some reason or other—had not been able to make those exertions in the peninsula for the attainment of their object, which they had usually made in other parts of the world. That was certainly a ground of hope; and if the new government of Spain would act with the energy necessary to secure discipline and obedience at home, and adopt the policy of cordial trust in their allies, and of conciliation towards America, and by these means place such great resources in the hands of such a distinguished military character as lord Wellington, the expectation of saving the peninsula might yet be realized. We, too, perhaps, had our prejudices to conquer, and our exertions to make; but certainly the best that could be done to bring the contest to a favourable conclusion might be expected from the talents and skill of lord Wellington, and the eminent valour and exertions of the army under his command. He heartily concurred in the motion.

The several motions were then made, and agreed to unanimously.

HOUSE OF COMMONS.

Monday, April 27.

PETITIONS FROM THE WOOLLEN MANUFACTURERS OF GLOUCESTER—SHIP OWNERS OF SUNDERLAND—ROPE MAKERS OF LONDON—ALSO FROM LANCASTER, WIGAN, STOCKPORT, CLITHEROE, AND RUTHERGLEN, RESPECTING THE RENEWAL OF THE EAST-INDIA COMPANY'S CHARTER.] A Petition of the woollen manufacturers of the county of Gloucester, and other persons interested in the woollen trade, was presented and read; setting forth,

"That the petitioners humbly beg leave to represent to the House, that by various charters granted from time to time to the East India Company, the petitioners have for a long series of years been restricted from carrying on trade with a large portion of the globe, whereby the petitioners have been deprived of those privileges which they humbly presume to be the common birthright of all his Majesty's subjects, under such regulations as the policy of this country may require; and the petitioners further beg leave humbly to state to the House, that they cannot but regard all monopoly as highly in-

jurious to the general interests of the country at large, and as tending greatly to discourage and depress that spirit and industry which are indispensable to the prosperity of their manufactures; and that the petitioners therefore have deemed it advisable to appeal to the House, in the humble but confident hope, that it will consider the protection of the rights of his Majesty's subjects to a free trade to all parts of the British empire, and other countries in amity with this kingdom, as amongst the first and most important objects of legislative regulation; and praying the House to take the subject of the renewal of the Charter to the East India Company into its most serious consideration, and to adopt such measures for abolishing the present monopoly, and for opening a free trade to all parts of the British Empire, and other countries in amity with this kingdom, as the wisdom and justice of parliament may deem most expedient."

A Petition of the ship owners, merchants, and other inhabitants of the port of Sunderland, was also presented and read; setting forth,

"That the petitioners, although willing at all times to make every sacrifice for the honour of their country, cannot help stating to the House, the depressed and deplorable state of the shipping and manufactures of this kingdom; and that the monopoly of the East India Company, however expedient or necessary, at the grant of their present Charter, is as the petitioners humbly conceive, in the present state of commerce and of the world no longer so, and it is moreover inconsistent with those principles which are universally admitted to be essential to the prosperity of commerce; and that the petitioners, while they lament the confined and fettered state of the trade of this island from political circumstances, humbly conceive the abolition of the East India monopoly will open an extensive market for British manufactures, render the kingdom less dependant upon an intercourse with the continent of Europe, and revive the declining interest of the shipping of this kingdom, an interest which it is the imperious duty of every Briton at this particular crisis to support; and that in no view of the subject can there be a reason why the East India Company should be allowed a monopoly, because if they can carry on the trade to greater advantage than individuals they

will have nothing to fear from the competition of individuals, and if they cannot so carry it on they ought not to be suffered to uphold their monopoly to the injury of their country; and that the petitioners forbear to enlarge upon the decrease of the trade of the East India Company, notwithstanding the great increase of their territorial possessions, they forbear also to enlarge upon the increase which has taken place in the trade carried on by foreign individuals, who have ingrossed into their hands so great a proportion of the whole commerce of the East; knowing, as the petitioners do, that all these facts are before the House, and not doubting that they will give to them that deliberate consideration which their great importance demands: and that the petitioners look up with confidence to the House as their representatives and natural protectors; and do indulge a most confident hope, that the House will not suffer their serious and weighty interests to be carried to any partial considerations; and praying, that the House will adopt the necessary measures for the total abolition of the commercial monopoly of the East India Company at the expiration of their present Charter, but, in the event of the House seeing reasons to continue, in some degree, a commercial monopoly of the East India Company, the petitioners do then most earnestly implore, that they will not suffer it to deprive British subjects of any privileges which are allowed to neutral nations, and that the Charter may be made subject to such modifications and additions as may best promote the interest of shipping and manufactures of the United Kingdom, leaving open to the capital, the enterprize, and industry of British merchants, all the islands of the Indian ocean, together with such parts of the continents of Asia and Africa as to the House may seem expedient."

A Petition of several rope makers resident in the port of London, was also presented and read; setting forth.

"That the petitioners have erected, at a very considerable expence, large and extensive manufactories for ropes and cordage within the port of London, and that they employ therein numerous industrious individuals, who altogether depend on the trade of the petitioners for the subsistence of themselves and families; and that the outfit of British-built ships for the service of the East India Company, and

the intervening supplies of ropes and cordage to such ships during their respective charters, have hitherto constituted a very considerable proportion of the trade of the petitioners; and that they view, with great anxiety, the system which has been introduced by the East India Company, not only of employing in their regular and private trade Indian built ships, but of their open encouragement of them for the general trade of this country; and that the petitioners are apprehensive that, in case India built ships are allowed to be employed in the trade of this country, the same will prove ruinous to them and to the numerous individuals who are dependent on them, and also injurious to the state, it being well known that, in time of war, his Majesty's navy is largely supplied with ropes and cordage from the private manufactories, the artisans therein employed cannot therefore be kept up at the said port without constant employment, which the building and equipment of ships in the river Thames for the service of the East India Company have hitherto afforded; and that the petitioners do not presume to enumerate to the House the various national and private evils, which will inevitably result from a continuance of this system, which must affect the vital interests of the state, and tend rapidly to render precarious the permanency of the naval power of the country, besides its injurious effect in that point of view, the diversion of so much capital from Great Britain will be seriously detrimental to its prosperity, and be the means of raising a naval power in the East, which may at no distant period of time become a source of annoyance to the mother country, which so improvidently admitted its establishment; and that the petitioners have recently learnt, with great surprise, that, in addition to the India built ships in the service of the East India Company, they have been admitted to British registry here, and that several of them are now employed in the general carrying trade of Great Britain: many of these ships, it is understood, have had certificates of registry granted to them in this country, some on the certificates from the builders or other persons in India, and others from having obtained certificates of registry there, but by what authority in either case the same have been allowed, the petitioners have not been able to ascertain, for they are informed, that the provisions of the register acts do not invest the Com-

pany's officers in India with any such authority, but that the same can only be granted by the officers of his Majesty's customs, who are specially designated by the acts referred to for that purpose; and that the petitioners are afraid, unless the House shall condescend to interfere, and to check a system so prejudicial to the maritime interests of Great Britain, that the petitioners, in common with all others who are dependent on the building and equipment of British built ships, must in a very few years, and especially on the return of peace, abandon their establishments altogether, as they will not possess the means of maintaining their present extensive manufactories, and consequently they will become incapable of rendering any assistance to the public service on future emergencies when the exigences of the state may require it; under these circumstances the petitioners most humbly pray, that in future East India built ships may be prohibited by statute from being admitted to registry and to the privileges of British built ships."

A Petition of the merchants, ship owners, tradesmen, and other inhabitants of the town of Lancaster, was also presented and read; setting forth,

"That the petitioners beg leave to represent to the House, that, by various charters granted to the East India Company, for a long series of years, an exclusive right has been exercised of carrying on the trade to the extensive possessions in that quarter of the globe; and that the petitioners, having assembled together at a general meeting, have resolved to appeal for redress to the House, humbly praying, that the Charter to the East India Company may not be renewed, and that the petitioners may be permitted to enjoy a free trade in common with all his Majesty's subjects; and praying the House to adopt such measures for abolishing the commercial monopoly of the East India Company, as to them may seem most expedient."

A Petition of the mayor, aldermen, burgesses, and inhabitants of the borough of Wigan, in the county of Lancaster, was also presented and read; setting forth,

"That the power and prosperity of the British empire depend eminently on the extent of its commerce, and that it is the birthright of every British subject to share in that commerce to the full extent of his

industry and capital, under such regulations as the legislature may impose equally on all adventurers; and that all monopolies, as national measures, are highly impolitic, tending only to the aggrandizement of a few individuals, the obstruction of commerce, and the depression of public spirit and general enterprise; and that the depressed state of the commerce and manufactures of this empire, the embarrassments of the merchant and tradesman, and the calamitous condition of the labouring poor, call imperiously upon the legislature, and all public men, to adopt the most effectual means, consistently with the national honour, for their relief; and that, as a most important measure of this nature, the petitioners humbly conceive that the commercial monopoly of the East India Company should be totally discontinued at the termination of their present Charter, and that a free trade to every country in amity with this empire should be open to all his Majesty's subjects; and that the reasoning adduced to shew the expediency of maintaining the chartered privileges of the East India Company, either with respect to China, or any other of the countries to which they extend, as well as the confining of the trade with those countries to the port of London, in the humble opinion of the petitioners, proceeds from narrow and partial views, and has been demonstrated fallacious by arguments which are incontrovertible; and that it appears to the petitioners, that a free and unrestricted trade to India would revive the manufactures of this country, extend its commerce, and alleviate the evils which press so heavily on a large portion of the community; and praying, that the House will adopt such measures, as to their patriotism and wisdom may seem best, for the abolition of the exclusive commercial monopoly of the East India Company, and for the general diffusion of Indian commerce to every part of this empire."

A Petition of the merchants, manufacturers and other inhabitants of the town of Stockport, was also presented and read; setting forth,

"That it appears to the petitioners that, however beneficial or even necessary it may have been, in the infancy of the commerce of this country, to grant a monopoly of the trade to the East, it cannot now be compatible with the national interests, and ought therefore to cease entirely

at the termination of the present Charter of the East India Company; and that if, upon general principles, it would be unwise and inexpedient to renew this monopoly, it is more especially so in the present restricted state of the foreign trade of the nation, which even the return of peace cannot be expected to restore to its wonted freedom; and that, should the legislature, in its wisdom, see fit to throw open the commerce of the East, its liberal intentions will be, in a great measure, frustrated, should there be left to the India Company any direction of, or controul over, the private trade; and that, to confine the importations to the port of London, and to compel the private trader to sell at the Company's sales, will equally frustrate these intentions, in as far as the petitioners and others of his Majesty's subjects, similarly situated, are concerned; for, not to mention the additional expence and delay thereby occasioned, they will be prevented from importing, for their own use, the cotton wool, indigo, and other raw materials of the East, which would be their chief inducement to and advantage from engaging in the trade; and that, to confine the importations to one place, merely for the convenience of collecting the duties, is a ruinous policy, injurious to the revenue itself, which must ultimately suffer far more from the limited imports of a trade thus shackled than it can possibly gain by any difference in the facility of collection; and praying, that the House will refuse its sanction to the prolongation of the monopoly of the East India Company beyond the term of their existing Charter, or to any controul by them over the private trade to the East, or to limiting to one port the privilege of importing from thence; and should the House, in its wisdom, deem it expedient to grant pecuniary aid to the said Company, or the continuation of any of their exclusive privileges, the petitioners further pray, that such grants may be on condition of their immediately opening the trade of the East generally to his Majesty's subjects, that the earliest possible relief may be thereby afforded to the trade and manufactures of this nation in the present most pressing exigency."

A Petition of the bailiffs, burgesses and other inhabitants of the borough of Clitheroe in Lancashire, was also presented and read; setting forth,

"That the petitioners consider all their fellow subjects as having a right to a free

trade with all parts of the British empire and other countries in amity with this kingdom, subject only to such general regulations of trade as the policy of this country may require, or as may be necessary for maintaining the relations of these realms with foreign states, and securing to government those revenues which may be necessary for its support; and that they conceive, that the great object of all legislative regulation in the commercial concerns of the country is the protection of this equal right in the subject, and the further extension of an honourable, just, and legitimate commerce; and that therefore all monopolies which exclude the general body of the people from trading with other countries are in derogation of the birthright of the subject, and counteract the chief purpose which they ought to have in view; and the petitioners humbly suggest, that, on the expiration of the East India Company's present grant, the full and absolute trade to India, to China, and other Eastern shores and seas, revert, as their undoubted birthright and inheritance, to the subjects of these realms, under such salutary laws for regulating and protecting their commerce as the legislature, in its wisdom, may deem necessary; and that the petitioners further beg leave to observe, that the monopoly of the East India Company is prejudicial to the general interests of the country at large, discourages that commercial spirit, and cools that ardour of generous and liberal competition which, from the nature and local situation of these islands, are indispensable to their prosperity, and upon which their security at this moment essentially depends; and that upon these grounds the petitioners unite with their fellow subjects in petitioning the House for the abolition of the commercial monopoly of the East India Company as speedily and effectually as, in its united wisdom, may be judged most expedient."

A Petition of the magistrates and common council of the burgh of Rutherglen, in the county of Lanark, was also presented and read; setting forth,

"That, amongst the many evils which a war of nineteen years duration has produced, none have more sensibly affected that part of the country than the present depressed state of commerce and manufactures, owing to which the misery amongst the lower classes of the community is very great, many being without employment,

and others, by the utmost exertions of industry, unable to procure a sufficiency of food; and that, under these circumstances so afflictive, the petitioners humbly conceive, that opening the trade to Hindostan and China, to the enterprize of the whole people of the United Kingdom, might tend to relieve or alleviate these distresses; and praying the House not to grant any exclusive privilege to the East India or any other Company to trade to Hindostan or China."

Ordered to lie upon the table.

PETITION FROM THE SHIP OWNERS OF SUNDERLAND RESPECTING THE ORDERS IN COUNCIL.] A Petition of the ship owners of the port of Sunderland, was presented and read; setting forth,

"That the petitioners cannot but view, with serious apprehension, the system of granting licences to bring wood into this country in foreign bottoms continued, a system manifestly tending to the injury of British shipping, and directly affecting the trade to our colonies in North America, the only trade at present open to the petitioners, the political situation of this kingdom precluding any intercourse with the Baltic, or any foreign port in the north of Europe; and that, whilst the petitioners are determined to bear every burthen, and to make every sacrifice, rather than compromise the security or honour of their country, they cannot but feel it their duty humbly to state to the House, that, in almost every port of this kingdom, they see the flags of the northern states displayed in proud commercial prosperity, when the British flag in their ports is no where to be seen; the inevitable consequence of which must be, amongst others, a rapid improvement in a foreign race of seamen, who before were almost unacquainted with nautical affairs, a circumstance, when looked at in a political point of view, of most alarming importance; and that the petitioners, though alive to the measures recently enacted by the legislature, of imposing a double duty on all timber brought into this country (except from any British colony, plantation, or settlement in Africa or America) still beg leave humbly to express, that foreign vessels, owing to their being so cheaply navigated, and their voyages so short, can with this double duty attached to their cargoes, import wood into this country, and sell it for a less sum than it is possible for the British ship owner to do from

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America; and to verify this assertion, the petitioners beg leave to state that since last August, the time when this double duty took place, foreign vessels laden with timber, notwithstanding the subsequent regulation compelling them, before they import a cargo to export one of a specific value, have and are still continuing to crowd into this kingdom: and that it is with great sensations of regret the petitioners feel compelled to state to the House, that the coal trade has been in a depressed state these twelve months, and has now become altogether ruinous, owing principally to an influx of vessels seeking employment therein, that heretofore were otherwise engaged: and that, although the petitioners feel sensible of the peculiarly fettered situation of the trade of this kingdom, they humbly beg leave to represent to the House, that a continuance in the system of granting licences to foreign vessels to import wood into this country must speedily tend to the complete ruin of the shipping; and praying, that the House will be pleased to appoint a committee to take into consideration the infraction of the British navigation laws, the result of whose deliberations, they trust, will prove the necessity of ceasing to grant licences to foreign vessels to import wood into this country, or otherwise to grant the petitioners such relief as to the House shall seem meet."

Ordered to lie upon the table.

PETITION FROM LIVERPOOL RESPECTING THE ORDERS IN COUNCIL.] General Gascoyne said, that he was instructed by his constituents to present to the House a Petition, signed by 6,560 most respectable individuals of the town of Liverpool, who in the space of only four days, had stepped forward to affix their signatures, for the purpose of praying the repeal of the Orders in Council as the cause of the commercial distress which affected not that place merely, but the country in general. The majority of the persons whose names now appeared at the foot of the Petition, were those who had signed a Petition against the Orders in Council when those measures first originated, and had then foretold the calamities which the trade of Liverpool had since suffered from the effects of those Orders, and from the closing of the ports of America. The melancholy statement of the actual condition of Liverpool, which was inserted in the Petition, was unwillingly obtruded upon the feel-

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ings of the House, in consequence of the contradiction given upon this subject to the information which an hon. member (Mr. Creevey) had deemed it right to afford. Upon the general question he would now say nothing, but merely move that the Petition be brought up.—The question having been put,

Mr. Creevey referred to the 6,560 witnesses who in this Petition bore ample testimony of the perfect truth of the assertions he had made regarding the real miseries of the inhabitants of Liverpool.

General Tarleton observed, that the accounts he had obtained, and which he had communicated to parliament on a former occasion, in opposition to the allegations of the hon. gentleman, were derived from the most respectable authority.

Mr. Wharton bore witness to the deference due to the quarter to which the hon. general was indebted for his intelligence, and stated that he had himself received letters corroborating the facts formerly brought before the House.

The Petition was then brought up and read; setting forth,

“That the petitioners are compelled, by the most urgent necessity, to lay their distresses and their grievances before the House; and that the general depression of the commerce and manufactures of the country has been particularly felt by the town and port of Liverpool; that the trade has rapidly declined; and that the more laborious part of the inhabitants, consisting of shipwrights, ropemakers, sail-makers, carpenters, porters, carters, and labourers, with their numerous families, are reduced to a state of unexampled suffering and distress; and that the petitioners have heard, with surprize and indignation, that statements have been made tending to keep the House, and the country at large, in ignorance of the real state of that populous town, and denying facts which are but too grievously notorious to every inhabitant of the place; and that it is not true, as the petitioners understand it has been publicly represented, that there were not more than from 3,000 to 4,000 persons whose necessities entitled them to support and assistance from a public subscription of the inhabitants, entered into for that purpose; and that it is not true that not a single shipwright is out of employ in Liverpool, who is willing to work; and that the fact is, that the distresses of the labouring part of the community and their families having rendered relief indis-

pensably necessary, a public subscription was entered into for that object in the month of December last, by which nearly 16,000 persons were in one week relieved; and that the petitioners compute the number of persons so receiving relief to have been at least one-sixth part of the present population of the town; and that the falshood of the assertion, that there is no want of employ for those who are willing to work, is apparent through the whole town of Liverpool, amidst all its docks, on all its quays, and in every street, where numbers of industrious mechanics, many of whom are free burgesses of the town, are seen without employment, whilst others are compelled by their necessities to solicit in the vicinity of the town for charitable aid; and that, in addition to the want of employ, the distressed situation of the town is aggravated by the present high and rapidly increasing price of all the necessaries of life, from which evils, if some relief cannot be obtained, by the speedy interference of the House, the petitioners cannot but apprehend the most alarming and fatal consequences; and that it appears to the petitioners to be as impious as it is unjust, to attribute the distresses which affect the country principally to the dispensations of Providence, as to the productions of the soil, or to any other cause which the interference of the House, in conjunction with the other branches of the legislature, may not in a great degree remove; and that the petitioners have heard, with real alarm, that a high and confidential servant of the crown did, in the presence of his Majesty's Chancellor of the Exchequer, and of a respectable deputation from the inhabitants of a large manufacturing town, lately make use of language which appears to the petitioners, from the time and occasion on which it was introduced, to develop the views and intentions of ministers more decisively than thousands of state papers and public documents; and shews that they are prepared to risk the very existence of the country on the further prosecution of measures which have already reduced it to its present unexampled state of suffering; and that the petitioners cannot but avow to the House, their most solemn conviction that the distresses of the country are primarily occasioned by the present ruinous and long protracted war, by the sacrifice of the manufacturing and commercial interests of the country to war, measures injurious only to ourselves,

thereby destroying and drying up the very sources of revenue, and, in particular, by the Orders in Council affecting in their operation our trade with neutral states; and that the consequences of these Orders are more particularly felt in the port of Liverpool, where, during the year 1807, being immediately prior to the operation of the Orders in Council, 480 American vessels, independently of other neutral ships, were cleared out, and where, in the course of six months, in the year 1809, when the effect of such Orders was understood to be suspended by negotiation, 336 American vessels were cleared out, which ships were laden almost entirely with British manufactures, having afforded in their outfit profitable employment to great numbers of merchants, tradesmen, mechanics, and labourers of the town of Liverpool; and that, in consequence of the Orders in Council of November, 1807, continued in certain of their provisions by another Order in Council of the 26th of April, 1809, the shipments from neutral states to that port are become very inconsiderable; and that, in particular, the merchants of the American states, being by local regulations of their own government prevented, during the continuance of the Orders in Council, from importing, in return for their cargoes, the manufactures of this country, are compelled to draw bills of exchange for the proceeds of their shipments, which bills have been for some months last past at a discount in the United States of 15 to 20 per cent., and are now nearly unsaleable at any price; a circumstance felt at the present time with particular pressure by this country, from its enhancing the price and greatly diminishing the quantity of grain and flour imported from America; and that, whilst the direct effect of the Orders in Council has been to diminish and injure the revenues, commerce, and manufactures of these kingdoms, they have also compelled neutrals to rely upon their own efforts for those articles which were before supplied by this country, and notoriously to establish manufactories of various kinds, which must eventually lead to an exclusion of British manufactures, and thereby render permanent those evils which are at present experienced; and that the petitioners cannot but contemplate with the most pointed sentiments of disapprobation, the system of a licensed trade with the enemy, by which a power of dispensing with the laws is vested in the minister for the time

being, and has been exercised, as the petitioners humbly apprehend, to a most dangerous and alarming extent: that the direct and immediate effect of such measures is the increase of the naval power of our enemies, the transferring the commerce of this country to hostile and foreign traders, and the encouragement of crimes which destroy all confidence amongst civilized states, and which, when limited in their effects to these realms, are punished with the most exemplary severity; the petitioners therefore most humbly, but confidently, call upon the House to vindicate the national character, and to mark with due reprobation a system of intercourse involving the breach of all moral obligation, highly dangerous to the ultimate safety of the country, and supported by perjury, forgery, and fraud; and that the petitioners humbly conceive that these and many other evils would be done away by withdrawing the Orders in Council, that such a measure, by restoring a free intercourse between this country and neutral states, would relieve the nation in general, and the town of Liverpool in particular, from great and increasing distress, would open and restore to our manufacturers the most valuable markets which our country ever possessed, would encourage the shipments and importation of grain and flour, now so indispensably necessary to the supply of these islands, would again afford employment to the laborious part of the community, and would, as the petitioners are fully convinced, be found a speedy and substantial remedy for a great part of our present evils, and a security against those much greater calamities which appear to be rapidly approaching, and which the petitioners cannot contemplate without sentiments too alarming to be expressed; and praying, that the House will take this subject into their immediate consideration, and will afford the petitioners such relief as the House may in its wisdom think fit."

Mr. Rose said, that he felt it incumbent upon him to give the most positive contradiction to one paragraph in the Petition which referred immediately to himself, and which was founded on the grossest misrepresentation. It referred to a meeting between him and a committee of gentlemen from Birmingham, at which his right hon. friend (the Chancellor of the Exchequer) was present, and the member for the county of Warwick. Instead of using any language which could lead

the gentlemen to think that ministers were insensible to the distresses represented to them, he appealed to all who had been present if the whole of the conversation did not show that government gave full credit to the statement made; and he (Mr. Rose) expressly allowed, that the iron manufactories of Birmingham were peculiarly injured by the existing obstruction of trade with the United States; and deeply lamented that nothing could be done for their relief. He denied in the most positive manner, that any thing passed which could be construed into an insensibility on his part, and he appealed to any member that heard him, whether throughout his public life, his conduct had not been governed by an extreme anxiety, if possible, to alleviate distresses whenever they were represented to him. He referred with the utmost confidence to his right hon. friend, to state whether a single word had been uttered by him which could afford the slightest foundation for the expressions employed by the petitioners. If he had conducted himself as was represented, he should think that he was unworthy of filling any office in the public service for the remainder of his existence.

Mr. *Tierney* said, that the question was not whether the right hon. gent. was insensible to the miseries presented to his view, but whether he had employed the unfortunate expression referred to. He did not understand that the fact was denied that the right hon. gentleman had said that the two countries were in the situation of two men whose heads were in a bucket of water, and the struggle was, which of the two could remain longer in that situation without suffocation. This kind of metaphorical language might sufficiently express the nature of the mercantile contest produced by the Orders in Council, but it was rather unfortunate when addressed to those whose heads were under water, and suffering all the pains of strangulation.

Mr. *Rose*.—I assert again that I have no recollection of having used such an expression, and I am certain that it was not addressed to any of the gentlemen who waited upon me. I do not undertake to deny it positively; it might have been said by me. All I can undertake to state positively is, that no such phrase was used by me to the deputation generally; but whether I said it to any individual I will not pretend to determine. I deny too that if I used it, it proceeded from any want

of feeling on my part for the distresses complained of.

Lord *Stanley* said, that a few days afterwards he met some of the gentlemen of the deputation, who repeated to him the words referred to in the Petition, and certainly it was considered by them as shewing a great degree of insensibility on the part of the right hon. gentleman.

Mr. *J. W. Ward* remarked, that the expression had been repeated to him by a member of the House a day or two after it had been used.

The Petition was ordered to lie on the table.

PETITION FROM LIVERPOOL RESPECTING PEACE, AND CERTAIN EXPRESSIONS MADE USE OF BY MR. ROSE.] Mr. *Broughton* said, he held in his hand another Petition from a number of the inhabitants of Liverpool, who had signed it in the course of one hour; and had it not been necessary to send it off, in order that it might accompany the preceding Petition, it would have received a much greater number of signatures. The memorial of the present petitioners was not so much against the Orders in Council, as applicable to the expressions which they had heard ascribed to the right hon. gentleman opposite, (a laugh); and which, however ridiculous they might appear to some gentlemen, were yet calculated to produce any other sensations but those of levity and laughter in the minds of those to whom they were addressed. The petitioners, feeling the multiplied distresses of their situation, had heard with regret and astonishment, the figurative language of the right hon. gentleman; from which they drew, at least, this conclusion, that the commercial measures of ministers were not to be relinquished in the smallest degree. The right hon. gentleman had disclaimed his having treated the deputation with any thing like levity; and he fully believed him, for he was convinced that neither that right hon. gentleman nor the Chancellor of the Exchequer, nor the hon. and learned gentleman, not now in his place, (Mr. *Stephen*), who might be considered as the father of the Orders in Council, had now in their minds any feelings of levity or ridicule on this subject, but rather those of a very contrary description. The object of the present petitioners, however, was simply to express, not that the expressions of the right hon. gentleman conveyed insult or insensibility, but merely that they excited

in their minds the most melancholy apprehensions, and destroyed all hope of any modification of the Orders in Council. They had imagined, that when so many memorials had been presented to ministers, some modification, at least, of those measures would have been made; but now, instead of these expectations being gratified, they were to understand that this country was finally committed to a contest with the enemy, which of them should bear privations the longer. The petitioners also proceeded to observe with pain and sorrow, that many persons in this country were possessed of sinecures and pensions to a large amount,—men who had fattened on the war which had reduced them to distress. They contrasted the situation of these pensioners with their own deplorable condition, and prayed that these sinecures and pensions might be abolished altogether, and their produce applied to carrying on the war. This sort of language might be called indelicate; but then the House should observe, that they were dealing with hungry men, who were very little removed from a starving situation. But whatever might be thought of some parts of this Petition, there was one conclusion which could not fail to strike every man,—namely, that the number of the Petitions which the House had received afforded a melancholy proof of the extent of the distresses, and the pressure under which the manufacturing and commercial interests laboured. Some of them were against the East India monopoly; others against the Orders in Council; and a third class, like the present, against the Orders, and also against *Sinecure Places and Pensions*. From all this he concluded, that the pressure on the various parts of the country was great, and almost intolerable. It was his opinion, however, that the petitioners would derive at least the most speedy relief from laying the axe to the commercial decrees of ministers.

On the question being put, that the Petition be brought up,

The *Chancellor of the Exchequer* reprobated the discussion of a question now which might be fully debated at its proper time to-morrow. This at least was neither a usual nor a convenient way of dispatching the business of parliament. He felt himself called upon to say a few words with regard to the expression so much talked of, which was said to have dropped from his right hon. friend. He never was more

surprized than when he heard that an injurious impression had been left upon the minds of some individuals present at the interview, for the deputation from Birmingham appeared perfectly satisfied with the reception afforded them. Taxing his own memory he had not the least trace of such a phrase as had been so often alluded to, although it might have been uttered out of his hearing, or indeed if uttered within his hearing, he might not have noticed it. He positively denied that it could justify any such mischievous impression as that to which it had been distorted. It had been employed to exasperate the public mind, for the purpose of producing mischief; and he was sorry to see that gentlemen in that House thus gave countenance to such disgraceful attempts. It was exciting a still more outrageous spirit in those who were now employing themselves throughout the country in destroying all kinds of machinery. That was indeed laying the axe to the root, and abolishing the very means of future prosperity to the country, by which the pressure now complained of might be alleviated. Such sentiments as had just been listened to encouraged and promoted the feeling which produced these dismal scenes of devastation. He did not mean to make any charge upon gentlemen, whose duty it was to present Petitions put into their hands, but he would appeal to every man present at the interview alluded to (excepting the individual who had originated the statement) whether any thing passed which could be perverted into an expression of unkindness, harshness, or insensibility on the part of ministers. Whatever might have been the particular words employed, he would not take upon himself to determine, but he would bear positive testimony that in his right hon. friend's mind there was no feeling which could justify the distortion of phrase which had been attributed to him.

Mr. *Tierney* observed, that the most convenient mode would be for the right hon. gentleman to state what he really did say. It undoubtedly was fair that the right hon. gentleman should have an opportunity of explaining the construction he put upon the words said to have been employed. At present the sense applied to the metaphor seemed to be that which it bore, without any perversion. It must be admitted, that it conveyed no very pleasant idea to the minds of the petition-

ers, when they were told that they were like a man with his head in a bucket of water.

Mr. *Rose* repeated, that he had not the most faint remembrance of having employed the language attributed to him. All he could say was, that in his mind there was nothing at all disrespectful to the gentlemen, or unfeeling to the individuals they represented. He was sorry not to see the hon. member for Warwickshire in his place, who would be able to state his recollection of the transaction. He was happy that the the present opportunity had been afforded him of disclaiming that which had been most unjustly attributed to him, viz. an insensibility to the complaints that had been urged. He thought the case of the manufacturers of Birmingham entitled to peculiar attention.

Mr. *Brougham* observed, that the figure of speech in which the right hon. gentleman had indulged, and which remained uncontradicted, had created a most melancholy impression.

Mr. *Baring* felt convinced that the expressions had been used; but from the manner in which the right hon. gentleman received those who waited upon him on business, he was convinced that there was no intention to insult or offend. He expressed his hope that the grievous complaints of the numerous petitioners, who had resorted to the House for redress, would be most seriously considered.

Mr. *Lyttelton* suggested, that if the right hon. gentleman could not deny the precise expression, at least he could disclaim the policy which might be supposed to dictate it.

Lord *Milton* objected to the words, as containing a comment on the system government intended to pursue with regard to the Orders in Council.

Mr. *Rose* observed, that to-morrow would be the more fit time for the explanation required.

The Petition was then brought up, and read; setting forth,

"That the petitioners have been credibly informed, and do believe that the right hon. George Rose did lately, in a conference between his Majesty's Chancellor of the Exchequer and certain master manufacturers of the town of Birmingham, compare the situation of the people of England and France to that of two men holding their heads in a vessel of water, and trying which can longest endure the pain

of suffocation; and that the petitioners cannot, without great alarm, hear of this type or comparison as illustrating the effects of a war which his Majesty's ministers have from time to time promised to terminate, by the subjugation and restraint of France; and that, though the above-mentioned comparison too aptly typifies the condition of the petitioners, all whose means of livelihood are alarmingly curtailed by the events of war, and by the process of taxation, and many of whom are reduced to the extreme of want, it is by no means applicable to the right hon. George Rose, and divers others similarly circumstanced, who, by the emoluments of the offices which they hold under government, and the possession of considerable pensions and salaries of sinecure places, are much at their ease in the midst of public calamity; and praying the House to pass a Bill for appropriating, during the future continuance of the war, the salaries of all sinecure offices, and all unmerited and extravagant pensions, to public purposes, which Bill, the petitioners humbly conceive, by tending in a degree to equalize the pressure of the times, will at once tranquillize the general feeling, and accelerate to this country the acquisition of the blessings of peace."

Ordered to lie upon the table.

DEFAULTERS' NAMES CALLED OVER—AND A MEMBER ORDERED INTO CUSTODY.] The order of the day for attendance of the several members who had not appeared to the Call of the House being read, the names of several members were called over, who answered in their places, and were excused. On the name of the right hon. William Fitzgerald being called, he did not appear, and the Speaker enquired whether any member had been requested to answer for the right hon. member's absence.

Mr. *Pole* said, that he believed the right hon. member was in Ireland.

General *Mathew* said, that he did not at all doubt but that the right hon. gentleman was in Ireland, where, during the discussion of the late important question, he ought not to have been. He expressed his hope, that the House would not excuse the absence of the right hon. gentleman.

Mr. *Ellison* thought the hon. general might have been a little more lenient in his observations.

General *Mathew* did not understand why the right hon. gentleman should have

been allowed to fight shy of the Catholic question. Notwithstanding what had been said by the hon. gentleman opposite, he still hoped the right hon. member would not be excused.

Sir *W. W. Wynn* did not see there was even a pretence laid before the House for the absence of the right hon. member. He should move, That he be taken into the custody of the Serjeant at Arms.

Mr. *Pole* rose again and said, he was absolutely certain that the right hon. gentleman would have been in his place had he not met with some unforeseen accident. However, he confessed that he had received no letter from the right hon. member.

Mr. *Eden* urged the propriety of the motion.

Mr. *R. Ward* deprecated the harshness with which the gentlemen opposite seemed to wish to have the right hon. member treated. He should move an amendment to the motion, That the right hon. gentleman be ordered to attend in his place on this day se'nnight.

Mr. *Herbert* opposed the amendment. The right hon. member had appeared in his place almost every day until the approach of the Catholic question.

Mr. *Brand* expected that the right hon. gentleman opposite, who had moved the call of the House, would have been the first to move the right hon. member into custody. As to the amendment, there was not the least doubt but that the right hon. member would be in his place on that day se'nnight. He was one of the lords of the Treasury, and materially connected with Ireland; and he certainly knew not why the presence of such a member should not have been enforced on the important question lately under consideration. If the House had the least regard for its dignity, it must order the right hon. member into custody.

The *Speaker* then put the question, and as the House was about to divide, Mr. *Ward* withdrew his amendment, and the original motion was carried in the affirmative.

VOTE OF THANKS TO THE EARL OF WELLINGTON, &c. FOR THE CAPTURE OF BADAJOZ.] The *Chancellor of the Exchequer* rose to move the Thanks of the House to the earl of Wellington, and the army under his command—

Lord *Milton* spoke to order; he wished to know from the chair, whether this was

not a day in which orders took precedence of notices?

The *Speaker* said, that questions of thanks to our fleets or armies always were allowed to take precedence of every other business.

The *Chancellor of the Exchequer* then spoke to the following effect:—Sir, from the opportunity which on former occasions I have had of collecting the sentiments of the House on the course of proceeding with respect to questions similar to that which I am about to submit to their consideration, I agree with you, Sir, that the House will always be disposed to give to them an undoubted priority. It gratifies me, however, to be enabled to assure the noble lord, that in my view of the present subject, it will not be necessary for me to detain the House at any considerable length; anticipating as I do, the unanimous concurrence of all who hear me, in the motion with which I shall have the honour to conclude. Sir, I have so frequently, during the short period of the last eighteen months, had the happiness to submit to this House a motion similar to the present, that I am justified, from my experience on those occasions, in confidently expecting that not a single dissenting voice will be raised against my present proposition. We may differ in opinion, Sir, on the general question of the manner in which the war on the peninsula has been conducted; we may even differ in opinion on the probable effect of the late or of any other splendid achievement of our brave troops—but it is impossible that we should differ in opinion on the able conduct of our general, and on the gallantry of our officers and men, with reference to the recent occurrence, in which these qualities have been so successfully and so gloriously exhibited.—The House will recollect that at no great distance of time antecedent to the late distinguished achievement, the capture of Ciudad Rodrigo took place. Immediately after that capture, lord Wellington meditated the direction of his forces towards that fortress, the acquisition of which it is now our object to acknowledge. The arrangements for that purpose were made with great expedition by the noble and gallant lord during the time that he kept his head-quarters; and so completely were the enemy deceived by the celerity and the secrecy of those arrangements, that they were evidently unapprized of the intended movement until it was too late for

them to entertain any hope that they might be able to collect a force adequate to the defeat of the object which the British army had in view. As soon as his preparations were complete, lord Wellington proceeded to Badajoz. He arrived at Elvas on the 11th of March. On the 16th he invested Badajoz. On the 17th he broke ground, and pushed forward his operations with all the rapidity which the utmost exertions of the officers and soldiers of his brave army enabled him to do. The House are in possession of the details immediately subsequent, from the pen of the noble and gallant officer himself; and I am sure that any attempt of mine to re-state them, will but tend to weaken the effect which they are calculated to produce. It appears, however, that the fire from the second parallel opened on the 31st of March; and that practicable breaches having been effected in two of the bastions of the fortress, on the 6th, at night, lord Wellington gave orders to proceed to the storm. The plan on that occasion was, that lieutenant general Picton should attack the castle by escalade with the 3d division—that major Wilson, with a guard from the 4th division, should attack the ravelin of St. Roque; and that the hon. major general Colville at the head of the 4th division, and the light division under lieutenant colonel Barnard, should attack the breaches in the bastions. Lieutenant general Leith, with the left brigade of the division under major general Walker, was to make a false attack upon two of the out-works. This feigned attack was not expected to take effect, but directions were given to turn it into a real attack, if circumstances should prove favourable. At ten o'clock at night, the attack commenced. The exertions of the troops on that occasion were never exceeded. They had to contend against an able general, who commanded a powerful garrison, not exhausted by the casualties and privations of a long siege, but capable of making a determined resistance to their assailants, and prepared by every means to give to that resistance the best chance of success. The conflict continued for above two hours, during which period the enemy resisted with a gallantry which it is due to them to say, was as glorious as that of their assailants. It is undoubtedly true, that the assailants were exposed to infinitely greater danger; but we owe it to the enemy to acknowledge that they de-

fended themselves with the utmost spirit and determination, and in such a manner as to produce no inconsiderable effect. While this dreadful conflict was going on in the breaches, general Picton succeeded in his escalade, and established himself in the castle. Major Wilson carried the ravelin of St. Roque. Major-general Leith pushed forward major-general Walker's brigade, which converting the feigned into a real attack, and aided by the 38th regiment, and the 15th Portuguese regiment, forced the barrier on the road of Olivença, and escalated the bastion of St. Vicente. Our troops being thus established in the castle, which commands all the works of the town, and the 4th light division being formed again for the attack of the breaches, all resistance ceased, and at day-light next morning, an unconditional surrender took place. Sir, in calling the attention of the House to these gallant and distinguished exploits, it is impossible for me not to advert to the loss which our brave army sustained. The House must be aware, however, that in the attack by storm of such a fortress as Badajoz, the loss must certainly be severe. The House must also be aware, how important it was to lose no time in the achievement of the object. If we consider the advance of Soult, with a view to attempt the relief of Badajoz, we may easily conceive, that had the assault been delayed, in order to render the breaches more practicable, a much heavier loss might have been sustained by the double effort that would then have been necessary to repel the advancing army on the one hand, and to reduce the fortress on the other. Sir, I shall forbear from dwelling, with particular distinction, on the names of any of the gallant officers who acquitted themselves so nobly in this most brilliant affair, because they are so numerous, the instances of heroic gallantry were so general (as, indeed, the list of casualties but too sufficiently testifies), that it would be in vain for me to attempt to do justice to all, and I am unwilling, by omitting any, to expose myself to the charge of invidiousness. I conceive that the House must be fully impressed with the importance of this operation. What the ultimate result may be, it is impossible accurately to predict; but there is every reason to believe that the British movement towards Badajoz, attracting the notice of marshal Soult, gave to the Spaniards in the south of Spain, the means of approaching Seville,

and there can be little doubt but to this circumstance, general Ballasteros is indebted for the opportunity of marching into Seville, in consequence of the destitute state of defence into which it necessarily fell. I repeat, Sir, that it is impossible to anticipate the consequences of all these proceedings, but I feel justified in availing myself most favourably from them, and in cherishing the expectation that they will be productive in the south of Spain of events in the highest degree auspicious to the common cause. The House and the country will, I trust, find some consolation for the severe loss which this glorious acquisition has occasioned, in the important effect which it is calculated to produce on the character, and probable result, of the awful contest in which we are engaged. It is but just that we should express the gratitude which we feel to those by whom such great national advantages have been obtained; and I therefore move you, Sir, in the first instance, "That the Thanks of this House be given to general the earl of Wellington, for the great ability and military skill manifested by him in the recent siege of Badajoz, by which that important fortress has been wrested from the possession of the enemy."

The question being put from the chair, Lord *Milton* rose to set himself right with the House. When he got up before, his intention was by no means to oppose the vote of thanks.

General *Tarleton* was of opinion that this last exploit of lord Wellington had done great honour to himself and the British army. Under all the circumstances, he believed that no general in the universe but himself would have attempted the capture of Badajoz; and that no troops in the universe but British, would have succeeded in that attempt.

Colonel *Dillon* was a little apprehensive that the results in the south of Spain expected from the capture of Badajoz might not come to pass so easily as was expected.

Sir *Joseph Yorke* did not think that the motion went far enough in rewarding the illustrious commander of the army in Spain. He was of opinion, that the highest dignity the country had to bestow would fall short of rewarding his merits. Why should not the gallant commander have a marshal's staff, and be put at the head of the military administration of the country?

General *Mathew* said, that he scarcely ever offered himself to the House with more pleasure than on the present occasion.

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sion, concurring as he did for the first time, and probably for the last, with the right hon. gentleman who made the motion. He had also to offer his humble thanks to the right hon. gentleman the Speaker, for permitting him to speak on this occasion; a permission, by the bye, which he was unfortunate enough to be unable to obtain during a late important debate, when he was most anxious to deliver his sentiments. He repeated that he was most happy to concur in the present motion of the right hon. gentleman, because it was a grateful duty to add his weak praises to the general voice of applause, because nothing could give him more pleasure than to speak the eulogy of many dear friends and countrymen who had fallen on this glorious occasion. He agreed with the gallant admiral that the motion did not go far enough. He would not attempt to recapitulate the exploits, or to count the glories of lord Wellington: they were known to his country—they were felt by Europe—they were bright before the world, and would retain a splendour lasting to all time. It was sufficient to say, that he had been victorious wherever honour and his country called him; and that, like Marlborough, he had never been beaten. To no general was lord Wellington second, and almost all had he surpassed. Was it not therefore right, that this conspicuous man,—this man so gifted by nature, and so favoured by fortune—should by his country be pre-eminently distinguished? Was it not right that his gallant army, of whom he was not more the commander, than the father and the friend, should through him be magnificently rewarded? To this army, which so adored and idolized their commander, the country owed much; and how could that debt better be discharged than by dignifying to the utmost extent that commander? He would recommend the same measures to be adopted towards lord Wellington, as had been taken with respect to lord Nelson. The navy felt itself identified with lord Nelson; and the army would, he was sure, feel itself raised by every elevation of their chief. It was a source of considerable satisfaction to himself, that about 20 years ago, he had served in the same regiment with lord Wellington; and the noble lord had since gained no victory in which he did not sympathise, nor gathered a laurel for his brow which he did not delight to see him wear. But there was a trait in the character of

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lord Wellington which ought not to be hidden from the public sight. When he quitted his military pursuits, and retired to his native country in a civil capacity, it was highly to his honour to say, that though he differed in politics from the majority of his countrymen, he was universally beloved. The frankness of his disposition, and the openness of his heart, recommended him to the unsophisticated simplicity and the generous feelings of his countrymen; and when he gave up his civil situation, it ought to be remembered, that he did not load himself with sinecures as the price of his services,—that he had no 1,500*l.* a year bestowed upon him,—that he never got places abolished while others possessed them, and afterwards had these places re-established for the purpose of filling them himself. It ought to be remembered, that he did none of these things; but he knew a Secretary of Ireland who was not altogether so scrupulous,—a Secretary whose whole life had been a scene of political servility;—a Secretary, who—

Mr. *R. Ward* here called the hon. general to order; and insisted, that in deviating to the abuse of any member, he was departing from the motion before the House.

General *Mathew* acknowledged he had been a little out of order. All he had to say further, and indeed it was for that he rose, was, that he considered the motion did not go far enough. His opinions were those of the gallant admiral.

Mr. *Whitshed Keene* spoke in favour of the motion, and dwelt particularly on the merits of lord Wellington in the commissariat department of his army.

The motion was agreed to *nem. con.*

The *Chancellor of the Exchequer* then moved, “That the Thanks of this House be given to lieut.-general sir William Carr Beresford, K. B., lieut.-gen. James Leith, lieut.-general Thomas Picton, major-gen. the hon. Charles Stewart, major-general the hon. Charles Colville, major-general Bernard Ford Bowes, major-general Andrew Hay, major-general George Townshend Walker, and major-general James Kempt, and likewise to brigadier-general William Maundy Harvey, brigadier-general Champlemont, and brigadier-general Manley Power, of the Portuguese service, for their distinguished exertions during the recent siege of Badajoz, which was so gloriously terminated by the successful assault of that important fortress in the night of the 6th instant.”

Mr. *C. W. Wynn* did not rise for the purpose of disturbing the unanimity of the vote upon this occasion. He wished merely to remark, that a practice had been lately, since the battle of Talavera, adopted, of not publishing the list of killed and wounded officers sufficiently early after receiving the dispatches. He conceived it was only necessary to state this circumstance to have it redressed. The general opinion, he believed, was, that the publication of the Extraordinary Gazette was purposely postponed to a late hour, to prevent its being copied into the evening papers. However it might happen, in his opinion the list of killed and wounded officers should be immediately struck off, at least as soon after receiving the dispatch as possible, that those persons who had relations in the engagement might receive the earliest information of their fate. On the late occasion the Extraordinary Gazette was published at so late an hour that many persons could not send it by the post that evening.

Lord *Castlereagh* said he would make every enquiry into the circumstance mentioned by the hon. and learned gentleman. It was, in his opinion, desirable that the lists of killed and wounded officers should be made out with all possible accuracy, which necessarily required some considerable time.

Mr. *Giles* observed, that the Gazette was in the hands of many persons in public offices so early as half past two and three o'clock: the public, however, had great difficulty in getting it at seven o'clock. Some unaccountable delay must have taken place in the publication.

Sir *Mark Wood* believed, that the list of killed and wounded was made up long before the printing of the Gazette, he had seen that list in a public room at twelve o'clock of the night on which the dispatches arrived. This circumstance, however, was probably not generally known.

Sir *W. W. Wynn* observed, that the list was published only in one evening paper; the *Pilot*.

The thanks were then carried, *nem. con.*

The *Chancellor of the Exchequer* next moved the Thanks of the House to the officers of the British and Portuguese forces, which was also carried *nem. con.*

The *Chancellor of the Exchequer* said, in rising to move that the House did highly approve and acknowledge the zeal, bravery, discipline, and humanity displayed by the non-commissioned officers and soldiers of

the army under lord Wellington, he could not help taking notice of one circumstance which had taken place, as well at the capture of Ciudad Rodrigo, as on the late occasion, and that was the small number of killed and wounded of the enemy, and the great number of prisoners. He confessed, it did appear to him a distinguished circumstance in proof of the humanity, as well as bravery of our army, that after so bloody and obstinate a resistance, so small a number of the enemy should be killed, while upwards of 4,000 prisoners were taken.

The motion was agreed to *nem. con.*

HOUSE OF LORDS.

Tuesday, April 28.

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Lord Grenville presented a Petition from Bristol, praying that their lordships would not consent to a renewal of the exclusive privileges of the East India Company. The Petition was read by the clerk. Upon which

Lord Grenville said, that in rising to move that this Petition do lie on the table, he could not avoid recalling their lordships' attention to what took place on a former evening respecting the intended discussion on the great national question to which the Petition referred. They were told it was intended to bring forward these discussions at an early ensuing period this session. They were all agreed that the question was not only of the greatest importance to the commercial interests of the country, but involved, at the same time, some of the highest interests on which the British legislature could be called upon to deliberate. This subject, great and extensive as it was, he held it would be utterly impossible, were they to confine themselves even to the commercial part of the question, to discuss in a fit and proper manner, such as its importance required, in what remained of the session. The subject was recommended to the attention of parliament from the throne at the beginning of the session. Four months had now elapsed without a moment of time being bestowed upon it: but now, when they were told the subject was very nearly ripe for consideration, their lordships were expected to remain in the same state of utter inactivity, with respect to it, waiting until they should receive lessons from the other House of Parliament on the subject, and until it was brought before them

in the shape of a Bill. A noble friend of his had suggested a mode of proceeding, in which the subject could be brought before both Houses of Parliament, where the functions of the one House could not be necessarily excluded until the other branch of the legislature had taken its final leave of the business, but a mode and system of deliberation in which both Houses could reciprocally afford light and assistance to each other. He trusted some one of his noble friends would come forward this session, and bring the subject before the House in the shape of Resolutions, involving the consideration, whether, on just grounds, the trade, not only to the East Indies, but to every other part of the globe, should be prevented from becoming general, or confined exclusively to any part of the kingdom. In this train of discussion, he trusted they all wished to see it; and he again expressed his hope, that some noble lord would, were it not done by the King's government, bring the subject before the House in the shape of Resolutions. His lordship concluded by moving, that the Petition do lie on the table.

The Earl of Buckinghamshire averred that his Majesty's government entertained the strongest desire and the most determined resolution, to propose nothing to parliament which they were satisfied in their own minds was, upon this great occasion, not conducive to the general interests of the country. His noble friend and the House were aware, it was a subject which involved such a collision of interests, that there could be no intention on the part of his Majesty's government to precipitate the discussion of the measure. With respect to the particular course of proceeding to be adopted, a variety of opinions might arise; but, with respect to those avowed by his noble friend on that head, he would beg to look to what was his own conduct on a similar occasion, while forming a part of the then government. He surely would not pretend to state that the subject was not equally important in the year 1793 as it now was. At that time, his noble friend discharged his duty in the manner he thought most advantageous for the purpose, when he pursued a course directly the reverse of what he now recommended. He was sure, if consistency were to be found in any individual, his noble friend could not object to the adoption of a similar course on the present occasion.

Lord Grenville must protest against any comparison of the importance of the question in 1793, and at the present period. At that time there did not exist that great, immense, and extensive difference of opinion which now evidently existed. The question then was, whether it were proper to continue, for a limited time, the system then in existence. At present the strongest difference was manifested, as appeared by the numerous Petitions and applications to the legislature from every part of the country. Those who, on the former occasion, were of opinion that no change ought to be made, might have considered the period of the session at which they came forward, abundantly sufficient for agitating the operation; in that point of view might, on the same principle, now consider a similar period for discussion totally insufficient. Whatever the difference of opinion might be upon almost all other points, they were all decided that a great and effectual change must take place in the whole system; a consideration which would bear no comparison with the mere question of continuance. But there was another consideration which it was impossible any noble lord could overlook, namely, that which was presented by a view of the distresses of the country, by the cries and lamentations of their fellow subjects for opening new markets, when the trade and commerce of the country were in the lowest and most distressed situation ever known—a situation to which the weak and wretched policy of ministers had reduced them.

The Earl of *Liverpool* said he must be allowed to observe, that there was no disposition whatever, nor any reason to suppose there was, on the part of the King's servants, to avoid any course of proceeding that would give to parliament and to the country the fullest opportunities of deliberating on the subject in question. Even if the course adverted to was adopted, it would still be at the option of any noble lord to bring forward any of the great branches of the subject under separate discussion. With respect to what was said of the occasion in 1793, if he were not mistaken, there were also at that time the strongest representations from all the manufacturing towns, soliciting that the trade might then be thrown open to the country at large; and an arrangement had been proposed, by which it was thought that considerable benefits in the way of trade might be derived by individuals

through the medium of the Company. He was far from being insensible to all the difficulties and dangers of the present moment; but this was the first time he ever heard the year 1793 pointed out as one of great prosperity. On the contrary, it might be doubted, whether there was ever a period in which the universal commercial distresses of the country were greater than at that very period.

The Earl of *Lauderdale* contended, that a great and striking difference existed in the state of the question at present, and at the period of 1793. They had not then, as now, a prospect of India being a burthen upon the finances of the country. A noble marquis, then in his eye, had most ably demonstrated the great benefits which would result from a free trade to India; the military and political parts of the question also constituted an essential difference. Neither was there any comparison between the state of this country at the period alluded to and at the present time.

Earl *Grey* observed, that ministers continued to say, that there was every disposition on their part that this most important subject should have the fullest discussion, but still they delayed bringing forward any measure relating to it. Not even a notice had yet been given as to when it was to be proposed, whilst the session was advancing to so late a period, that there would be a moral impossibility of giving the subject that deliberate discussion which its extreme importance so urgently demanded.

The Petition was then ordered to lie on the table.

MR. HENRY'S SECRET MISSION TO THE UNITED STATES.] Lord *Holland* said a rumour had been in circulation for the last twenty-four hours, of a Message having been sent by the President of the United States to Congress, charging that an agent from this country had been employed, by the governor of the adjacent British territories, to foment discontents in the United States, with the view of separating the Union; and the Message was stated to be accompanied by documents comprising the correspondence, which proved, as asserted, the existence of the agency. He believed there was no foundation for this statement, and he trusted that such was the case; but it would be satisfactory to the House and the public, if the noble lord opposite would give a contradiction to it.

The Earl of *Liverpool* said he had no hesitation in answering, that no person had been employed by this government to foment discontents in the United States, nor had there existed any intention on the part of government to foment discontents there, or to make any attempt to separate the Union. As to the person alluded to as an agent, he was persuaded that he could only have been employed for the purpose of obtaining information with a view to the defence of Canada, in the event of hostilities.

Lord *Holland* asked, if there was any objection, on the part of the noble earl, explicitly to state, for the satisfaction of the public, whether captain Henry (for there could be no secret about the name) was or was not employed by this government? Or whether they knew of his being employed by Sir J. Craig?

The Earl of *Liverpool* said he had no hesitation in stating, that captain Henry was not employed by government at all, nor did they know of his being employed; and he was persuaded, from what he knew of sir James Craig, that sir James could only have employed him for the purpose of obtaining information with a view to the defence of Canada, under the impression that hostilities might perhaps soon commence.

Lord *Holland* observed, that there was probably some correspondence between sir J. Craig and the government, and suggested the propriety of laying that correspondence before the House.

GOLD COIN AND BANK NOTE AMENDMENT BILL.] On the order of the day being read for the second reading of this Bill,

Earl *Bathurst* was proceeding to observe upon the tacit acquiescence of some, and the feeble opposition of others, in another place, to this Bill, who last session vehemently opposed the measure, when he was called to order by

Lord *Holland*, who observed, that another place could only mean the House of Commons, and that it was irregular to comment in that way upon their proceedings, or to use what passed there as a means of influencing opinions in that House.

Earl *Bathurst* observed, that there were other places where opinions were expressed besides the House of Commons. After explaining what he intended by the argument he was about to use when interrupt-

ed, his lordship proceeded to comment upon the arguments adduced against this measure last session, when it was predicted that it would produce a still further depreciation of the currency of the country, and a still more unfavourable state of the exchange. Those who used the argument of depreciation, urged that the paper currency was depreciated on account of the high price of bullion. Since the passing of the measure, however, of last session, the price of bullion was lower, and the exchange was less unfavourable. The measure, therefore, had not produced any of the effects which it was predicted it would. The unfavourable state of the exchange he attributed to our foreign expenditure, and observed, that that unfavourable state of the exchange, combined with a paper currency, enabled the country to carry on a profitable trade in the export of gold, until, from the demand here the price rose so high that the export ceased to produce a profit, and then the gold naturally returned. His lordship then entered into a history of the recoinages in 1695 and 1774, and of the acts of parliament and proclamations respecting the coin, for the purpose of shewing the effects then produced upon the circulation of the country and the state of the exchange, chiefly in answer to the arguments used by the earl of *Lauderdale*, in a book published by his lordship, and with the view of controverting the statements of the latter noble lord. Calculating the Gold Coin of the country at 39,000,000*l.* and subtracting from it 9,000,000*l.* exported in 1798, there did not now remain in circulation, his lordship observed, out of the 30,000,000*l.* more than about 12 or 13,000,000*l.* The deficit, therefore, was to be made up by a paper circulation, and he contended, that under all the circumstances of the increased trade of the country, there were no more Bank notes issued than were necessary for the circulation of the country. If, therefore, there was no excess in the issue of Bank notes, and he maintained that there was not, there could be no depreciation, it rested with those who supported the argument of depreciation, to prove that there was an excess.

Lord *King* observed, that the noble earl had entered into a variety of minute statements, but had carefully kept out of sight the real object of the Bill, which was to make Bank notes a legal tender. By the measure of last session, Bank notes were made a legal tender out of court, and now

they came to be made a legal tender in court. Thus, whatever title they might choose to give the Bill, it was neither more nor less than to make Bank notes a legal tender. His lordship then adverted to some of the arguments used by earl Bathurst, and observed, that it was fallacious to state that an increased issue of Bank notes was in consequence of an increased trade and revenue; the revenue was in 1810, 65,000,000*l.* and the issue of Bank notes 22,500,000*l.* whilst in 1811, the revenue decreased to 62,600,000*l.* and the issue of Bank-notes increased to 23,400,000*l.* The depreciation of the paper currency was in fact acknowledged by ministers themselves in their conduct, though not in words. What was the reason for passing the Bill which had been that day read a third time, for increasing the annuity of the Princesses from 30,000*l.* to 36,000*l.* but because 36,000*l.* now was only equal to 30,000*l.* ten years ago? The same argument applied to Bills which were continually coming before them for increasing allowances of different descriptions. Was it not, therefore, manifestly unjust to pass such a Bill as the present, to compel persons to receive payments at a depreciated rate? His lordship alluded to the action he had brought against a Bank Director for 50*l.* for rent, for the purpose of trying the question, and read a notice which had been served by his agent upon the officer of the court, cautioning him against taking Bank-notes in any payment into court, that being the question at issue, whether he (lord King) was to be compelled to receive Bank-notes, or could insist upon good and lawful money. The officer of the court did, however, notwithstanding this notice, receive the payment in Bank-notes; and his lordship contended that this was a power of dispensing with the law, which no officer of a court had a right to assume. His lordship maintained that this Bill would be characterized by posterity as a most iniquitous law, and must lead to the most ruinous consequences. They were called upon to make a legal tender the notes of the Bank of England, without any securities against an excessive issue, and a consequent excessive depreciation.—If the present measure was to be persevered in, his lordship contended that the practice of granting leases must cease. It was impossible to say how much in the course of six or seven years Bank-paper might be depreciated. He appealed to the noble earl with whom the present measure

originated, who he knew felt for the labouring classes of the community, to reflect how cruelly this measure must militate against them; to noble lords on the other side it would be useless to appeal, they had already shewn, on the occasion of the Frame Breakers' Bill, that they were insensible to the sufferings of the labouring poor. To the noble earl, however, he thought he might appeal with safety on this head, and he asked of him, Did he not admit that, if we had a metallic circulating medium in this country, instead of a paper currency alone, the price of corn would at this moment have been less than it now was by at least one-fifth?

Earl Stanhope disclaimed all connection with the manufacture of the swaddling-cloaths in which the child, of which he was the parent, was now drest out. The child itself, however, he had no hesitation in acknowledging and supporting. Noble lords seemed not to know in what a pound sterling consisted. He would tell them first what it was not, and then he would tell them what it was. It was not a pound troy, or a pound averdupoise—they were measures of weight:—a pound sterling, was not a measure of weight but of value. In not attending properly to this distinction lay the greater part of the fallacy of the arguments on the other side. It was impossible for him to say that one of his hands was raised and another depressed, without comparing them to something that was fixed in its position. Noble lords who opposed this Bill had formerly contended that gold was of a fixed value; yet he now found an admission in a pamphlet by a noble earl (Lauderdale), that when gold began to be exported from a country, then that which remained rose in value. He declared it to be his firm conviction, that if he had not stopped his noble friend (lord King) by introducing the Bill of last year, we should soon have had Bank notes in this country where French Assignats were in France.

Earl Darnley supported the measure, not seeing that any thing better could have been done.

The Earl of Lauderdale argued against the Bill. After calculating the various profits of the Bank, he maintained that the principal effect of the measure would be, to put into the pockets of 600 bank-stock holders the enormous sum of 17,525,000*l.* by the most ruinous mode of taxation which could be devised. Every country in which a paper circulation had

been forced on the people had been invariably ruined, and whatever evils might befall this country in a like attempt, their obstinacy against every kind of remonstrance deserve it in some measure.

The Earl of *Westmorland* spoke in support of the Bill.

Lord *Grenville* opposed the Bill. He compared the present proceedings of government to those of the French with respect to the assignats.—The noble lord dwelt at length on the evils which the people experienced by the depreciation of paper, which depreciation he attributed to an over issue on the part of the Bank.

The Earl of *Liverpool* contended that the existing circumstances of the country were to be ascribed to natural and simple causes, namely, the great foreign expenditure, and the considerable increase in the importation of grain. The argument of the noble baron who preceded him, was directed rather against the original measure of the suspension of cash payments, than against the present Bill, the object of which was to prevent the occurrence of injustice and oppression. Adverting to the supposition that there were two prices in the market, a cash price and a paper price, he denied the fact. On this point he was ready to meet the noble lords, guarding himself at the same time from the inference of maintaining that there might not have been a solitary instance or two of the existence of two prices. All he contended for was, that it was not a general practice.

The Bill was then read a second time, and ordered to be committed on Friday.

The Earl of *Lauderdale* gave notice, that before the House went into the committee on Friday, he would move an enquiry into the nature of the connection of the bank of England with government.

MR. HENRY'S SECRET MISSION.] Lord *Holland*, adverting to the conversation which had taken place early in the evening, observed, that he had since read the documents to which he had then alluded. If they were accurate as published, he must consider them as affording a most proper ground for parliamentary enquiry. If it should appear that Mr. Henry had been authorised to stir up the inhabitants of the Eastern States to rebellion and separation from the Western, such an act, on the part of one friendly power to another, could not be too severely censured or

stigmatised. And whatever might be the sentiments of the noble earl, he was persuaded that he should have the concurrence in this opinion of the noble viscount who had lately acceded to his Majesty's government, and who had, at the commencement of the present unfortunate war, reprobated what he conceived to have been a similar attempt, as instanced in the case of the French consul at Dublin. He did not wish to take the business out of the hands of the noble Earl if he chose to bring it forward, but he was desirous to know, whether it was the noble earl's intention himself to lay on the table the documents alluded to?

The Earl of *Liverpool* replied, that he did not think it necessary to say any more at present, than that when the affair came to be enquired into, it would be found not to bear the construction set upon it by the noble lord.

Lord *Holland*, observing that the noble earl had refrained from answering his question, gave notice, that on Friday he would move for the production of the documents.

HOUSE OF COMMONS.

Tuesday, April 28.

PETITION FROM THE DYERS IN FAVOUR OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the Dyers of the honourable united East India Company, was presented and read; setting forth,

"That the petitioners have viewed with the liveliest apprehension the Petitions from the various outports to the House, for laying open the trade to India; and that it is by a strict attention to regulations which ensure the superior execution of the different operations in the India Company's exports, that the confidence with which they are received by the consumers has been established, a confidence so complete that a bale of goods marked V. B. I. C. passes in the India market as current as a Bank note does here; and that, by these regulations, the petitioners are obliged to have been a certain length of time in the business before they can be appointed Dyers to the India Company; that, with most of them, it is the only business in which themselves, and their fathers before them, are and have been engaged, and by which they procure subsistence for their families, and those of other trades immediately dependent on them, together giving employment to some

thousands ; and that, by the same regulations, they are obliged to have their dye-houses and plants furnished and fitted up in a particular manner, to facilitate and insure the same object ; that this is attended with very great expence ; and that their property, to the extent of upwards of 200,000*l.* is embarked in these establishments ; and that there is no other trade in which they could employ their knowledge of the business and these establishments ; and that the removal of this branch of commerce to the outports would thus take from them the trade in which they have been brought up, and to which alone they are competent, and, by rendering useless the establishments, would deteriorate almost to nothing the large property invested in them ; and praying, that no alteration may be made in the long-established system under which the India trade has been, under the repeated sanction of the legislature, hitherto conducted ; and that the petitioners may not be deprived of the means by which they earn their livelihood ; that their property may not be annihilated ; and that speculative and possible advantage to one class of individuals, may not be founded on positive ruin to another."

Ordered to lie upon the table.

PETITIONS FROM SOMERSET, AND KIDDERMINSTER, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several woollen manufacturers, resident in the county of Somerset, was presented and read ; setting forth,

" That the petitioners have no desire to infringe the property of the East India Company, or to prevent them from receiving such compensation as the wisdom of parliament shall consider to be due for their mercantile claims ; and that, as loyal subjects, taking a deep interest in the fate of their country, the petitioners ardently hope to see the United Kingdom rise triumphant from the contest in which it is engaged ; and that the petitioners conceive the present opportunity of discontinuing the commercial monopoly of the East India Company, and of opening the trade of the East to the people of the United Kingdom, is one of the means which Providence has given to the legislature for defeating the attempts of the enemy to impair the commercial prosperity of Great Britain ; and that, at the present period, unexampled in history, when Britain has the undisputed empire

of the sea, and the sole possession of the commerce of the East, when the field of enterprize which lies open is too extensive for the management of any company of individuals, when the common enemy despairs of making any impression on the country, except by impeding its commerce, at such a moment, if ever, it appears to the petitioners that all narrow views and commercial jealousies should be abandoned ; and they confidently rely on the wisdom of parliament, to form such regulations respecting trade with the East, as, by giving ample scope to British capital and exertion, will most conduce to raise this country to the eminence to which by its situation it is entitled ; and that the petitioners beg leave humbly to represent, that the restrictions on the trade to the East proposed by interested persons may possibly be intended to defeat the liberal intentions of the House, and to substitute the shadow for the substance ; and that the petitioners, therefore, desire respectfully to express to the House, what they believe to be the wish and the confident expectation of the majority of his Majesty's subjects, that the wisdom of parliament will devise such measures for the future conduct of East India affairs as, without either injustice or undue partiality to the East India Company, will most effectually promote the trade and the prosperity of the kingdom at large."

A Petition of the gentlemen, freeholders, manufacturers, and other inhabitants of the borough and neighbourhood of Kidderminster, in the county of Worcester, was also presented and read ; setting forth,

" That, in the exercise of those inestimable rights with which the constitution of the country has invested them, the petitioners most respectfully approach the House on subjects of the highest importance to their national and individual welfare : in the institution of the authorities of the House, they behold that link which unites them to the throne ; and to the House, as representatives of the people, they direct their confidence and expectations ; their immediate connection with those whose suffrages have entrusted to the House the preservation of their interests, naturally leads them to look to their sympathy for commiseration, to their wisdom for direction, and to their measures for redress ; the petitioners will therefore state, with respectful submission, the circumstances and wishes to which

they would claim the attention of the House, and which, they are persuaded, will be found to prevail in the case of a great majority in every part of the united empire; and that the petitioners, residing in a town and district, than which none in their county rank higher in manufacturing importance, and but one in population, possess the means of accurately observing the effects of protracted war and restricted commerce; in illustration of these effects, they would submit to the attentive consideration of the House the high price of all the necessaries of life, the multitudes of the labouring classes of the community thrown out of employment, the consequent difficulty, if not impossibility, of their obtaining honestly, and without parochial aid, the means of subsistence, and the too well founded anticipation of consequences, which (by adding to physical moral evils) must prove still more calamitous both to the individual sufferers, and to the country at large; in thus adverting to the peculiar distresses of one particular class, the petitioners would by no means have it inferred that they are the only sufferers; it must be obvious to the House that the unprecedented number of failures and bankruptcies in the higher departments of commercial society, and in all its descending gradations, are immediately owing to the same causes, which in their ultimate but severest operation affect the labourer and mechanic, war (and especially when conducted on the principles of that in which we are at present involved) being more injurious to a commercial nation like our own, than to one which possesses within itself greater physical resources; and the petitioners pray, that the House will do all that in them lies for the attainment of an honourable peace; but if this great and truly desirable object proves at present unattainable, the petitioners will still feel an anxious solicitude (a solicitude which has increased with each succeeding day's experience) that the House should give due attention to the importance of public œconomy, and to the removal of all obstacles in the way of commercial intercourse with neutral nations, excluded as this country is in a great degree from the European and American markets; the necessity is sufficiently obvious of widening every remaining channel for the free employment of the commercial capital of the empire; the petitioners therefore most earnestly intreat the House not to allow of any prolongation to the present term of that great national

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grievance, the East India monopoly, but to resolve that, on the principles of a liberal œconomy, the advantages of that trade shall be enjoyed by the nation at large, without exclusion or limitation; lastly, before the evils, which now press so severely on the various classes of the community, are extended and multiplied in a degree, from the contemplation of which in its various aspects the mind revolts, the petitioners beseech of the House to investigate the causes, to ascertain effectual means of counteraction, and, from motives of humanity, of policy, of patriotism, and of justice, to administer the appropriate remedies."

Ordered to lie upon the table.

PETITION FROM ESSEX RESPECTING REFORM.] Mr. Westerne presented a Petition from the freeholders and inhabitant householders of the county of Essex, setting forth,

"That the petitioners, impelled by a strong sense of the duty they owe to themselves and to their country, at this eventful and unprecedented conjuncture of public affairs, avail themselves of their right of petitioning the House, in order to lay before them their sentiments on the present very imperfect and inadequate representation of the people in parliament under the existing forms of election; and that the petitioners conceive, that one excellent part of the constitution consists in the representative system, by which the people are allowed a due share in the government; but, after they have seen it distinctly stated, in a Petition presented to the House, on the 6th day of May, in the year 1793, and evidence tendered in proof of the facts, that three hundred and seven of the members, for England and Wales only, are not sent to parliament by the suffrages of the people, that they are, on the contrary, returned by one hundred and fifty-four Peers and Commons; and when they find that these allegations stand at this day on the Journals of Parliament uncontradicted, they cannot but conclude that the House has lamentably departed from its original and constitutional character, "a full and free representative of the Commons of these realms;" and that to this alarming defect the petitioners ascribe the far greater part of their national calamities, therefore it is they would bring to the recollection of the House the blood that has been wasted in wars, which to say the least, wiser councils might have avoided; therefore they would remind the

House of the vast and fearful magnitude of the public expenditure, and of the accumulated increase of debt and taxation; and that to the same source they ascribe the decisions of the House, on various occasions, in manifest opposition to the declared sense of the country, and to its most essential interests, as well as in direct contradiction to their own recorded opinions; above all, the petitioners attribute to this unhappy cause the unwillingness hitherto shewn in parliament to enquire into and correct the corruptions and abuses which prevail, too notoriously for denial, in the procuring of seats in the House, and which tend, by diminishing its virtue, to destroy the confidence of the people in the Commons' House of Parliament; and that for these, as well as for many other powerful reasons that might be derived from existing circumstances, which the petitioners forbear to mention, lest they should too much mix their present feelings with discussion on the vital principles of the liberties of England, they beseech the House, that the Septennial Act, which, under a plea of public danger, was, in contempt of national right, passed by a House of Commons chosen only for three years, be forthwith repealed; and that, in addition to the land-owners, and in lieu of returns to parliament, in the name of depopulated or close or venal boroughs, the householders of Great Britain and Ireland, directly paying a certain assessment to the state, may, with the exception of the peers of the realm, have a vote in the election of members of the House, and under such regulations of the poll, as would prevent the ruinous expence of contested elections, but too often the result, as they are now conducted, a precaution, they will add, not more necessary towards the independence and integrity of parliament, than it is for the preservation of public morals; and that an efficient and constitutional Reform in the powers of election to the House, they are fully persuaded would afford a safe certain and speedy remedy for the numerous grievances under which the petitioners labour; and they are, moreover, persuaded, that it is the only efficient remedy to be found for them, because it is only by such Reform, and with the term of the representative trust considerably shortened, that the House can restore that identity of interest between the members of the House of Commons and the people at large, without which the petitioners have no rational as-

surance that they shall enjoy the blessings of free and equal government under the safeguard of the English constitution; and that the disastrous times in which we live demand this open avowal of the thoughts and wishes of the petitioners, on a measure again and again brought before the House, and in the language in which they have conveyed them, they intreat the House to believe they intend the House no disrespect, though the petitioners frankly confess they are unacquainted with words too strong to express what they feel on a topic so intimately connected with their dearest rights and most valuable interests; and that in conclusion, they earnestly pray the House to undertake a constitutional Reform before it be too late, according to the provisions they have presumed to point out, or in such other mode, as to their wisdom shall seem more effectual, to the accomplishment of the important object which the petitioners have in view, so shall the affections of the people be conciliated, the House retrieve its due weight and influence on the public mind, the internal peace and independence of the country be secured, stability given to the throne, and our liberties, our best inheritance, be perpetuated."

Ordered to lie upon the table.

LORD STANLEY'S MOTION FOR A COMMITTEE ON THE PETITIONS AGAINST THE ORDERS IN COUNCIL.] Lord Stanley on rising, expressed his regret that it had not fallen to the lot of an abler person than himself to bring the important subject on which he was about to address them before the consideration of the House. It was not his intention, however, to go at any great length into the general question of the policy of the Orders in Council, a subject so lucidly and eloquently treated on a recent occasion by his hon. and learned friend. He should limit himself therefore to that view of those Orders which were connected with the immediate motion which he was about to submit. In the year 1806, the violent measures and decrees of the enemy induced the British government to take such steps as seemed best calculated by a counter operation to inflict upon the French government those commercial injuries with which it had endeavoured to assail us. Whatever might be the policy of the Order then issued, he must deny that the Decrees against which it was directed were constructed upon any novel or unprecedented principles. Simi-

lar principles had been adopted in 1739, and 1756. They had been acted on during the American as well as the late wars. Never, however, had they been attended with those consequences which unfortunately now so distinctly depressed the trade and commerce of the country. Never had they been found to produce the practical result of destroying the manufactures, and annihilating the trading prosperity of the empire.—So far from their having been followed by any such effects, it was well known that until the present period, those manufactures continued to flourish more and more, and that prosperity progressively to increase. The measures therefore of 1739 and 1756 had been completely impotent in their effect on British commerce; and in his opinion there had been no reason to expect that the Decree of 1806 would have had a mere extensive operation upon it. Had Buonaparté any greater power than his predecessors in the government of France to enforce his hostile schemes against our commerce? Were his fleets so large, or his command over the ocean so entire as to enable him to do what the former rulers of his territories had never succeeded in accomplishing? But admitting his object to be the complete exclusion of commodities of British growth or manufacture, from all the ports of his dominion, what was this but acting on a policy which had been exercised by other continental powers as well as by the British government at various periods? What was it in short but adopting a principle of policy, and enforcing it with more than ordinary vigour, which every state had an inherent right to adopt, as a principle of mere municipal regulation? It remained for others to shew how any such regulations could affect the trade between neutral states and the belligerent, against whose interests they were directed. They had not operated in the present instance to raise the rate of insurance, and the remittances from Europe rose subsequent to their promulgation. What was the case after the system, the childish and impotent system of retaliation was adopted on our part? The face of things was at once changed.—The remittances fell in a short time in the ratio of 100 to 30; America, almost the only neutral nation, was disgusted; her ports were shut against us, all intercourse ceased, and not only the trade which we carried on directly with her, but that which we maintained circuitously

through her means, and which it was beyond the power of the enemy to prohibit, before he was aided in his views by our own injurious and disastrous policy, were sacrificed together. But whether all the evils that were now so deeply felt, ought or ought not to be traced to the operation of the Orders in Council, it was undeniable that there was at present great and general distress, and as a member of parliament, and more particularly as the representative of part of one of the counties affected in a peculiar manner by that distress, he had deemed it his duty to call the attention of the House to the Petitions now lying on the table.—The distresses that at present existed no one could deny, whatever difference of opinion there might be with respect to the cause. In the Petitions with which their table was crowded, various remedies were suggested. It was thought, by some, that relief could be derived from the reduction or abolition of sinecure places, and the lessening of salaries, which were disproportioned to the services performed; but whatever might be his opinion upon the expediency of such a measure, he thought it would go a very short way towards the effectual relief of the country. Another suggestion was, the non-renewal of the Charter of the East India Company, and the extension of the trade of that country and China to the merchants of the United Kingdom; but even that measure, great an effect as it appeared calculated to produce, could not take place for two years; and the distress of the country was such as could not wait the effect of an operation so distant.—He, therefore, was willing to hope, that something might be devised more likely to be efficacious. One of the Petitions complained of the insensibility which the petitioners declared a right hon. gentleman (Mr. Rose) had shewn to their sufferings. Whatever might have passed on the occasion alluded to, he was ready to acquit the right hon. gentleman and the government of any decided insensibility to the distresses of the country; but while he abstained from attributing any improper motive to the right hon. gentleman, (which he was sure was far from his mind): he thought, at the same time, that, standing as he did, in the capacity of a confidential adviser of the crown, he should have been a little more cautious in the language he made use of; and he should have recollected, that though what he said might seem to contain nothing extraordinary in

its import, yet, its levity, on minds agitated by the feelings of distress, was calculated to produce the worst effects.—The Petitions on the table were unanimous in stating the distress of the country, and most of them ascribed that distress to the operation of the Orders in Council, of which the petitioners appeared to be likely to form an accurate judgment. As a reply to those allegations, he presumed that the late Declaration had been issued by the government of this country, which proceeded on the statement of the French minister to the Conservative Senate. This Declaration contained, in effect, most decidedly the precise purport and meaning of the expressions attributed to the right hon. gentleman; it stated in effect, though not in terms, that Great Britain and France were in the situation of two persons whose heads were immersed in a bucket, to try which could bear suffocation the longer. This document declared, that the government of Great Britain were determined to persevere, on the punctilio of priority in the Orders in Council; and that however great the distress of the people might be, there was no hope of relief, support, or redress, from their own government. But, in a more statesmanlike point of view, who were to be the judges of the continuance of the system? Was the option to be taken out of the hands of this government, and transferred to those of Buonaparté, whose strongest interest it was that we should continue a system so conducive to his advantage? What was this but surrendering our own free will, pledging ourselves to a particular policy, and resolving to make our own future measures, under any circumstances, dependent on those of the enemy? He could see no ground on which such a determination was to be defended. He had felt it his duty to enquire minutely into the extent and magnitude of those distresses, under which the manufacturing classes of the community were now labouring, and from every quarter he had received accounts, varying as to the particular degree in which they were felt in different places, but all agreeing as to their universal existence. From all parts there were statements of the want of employment, scantiness of food, and high price of provisions. The food of the manufacturers in that part of the kingdom which he had the honour to represent, was chiefly potatoes and oatmeal: two hundred and forty pounds weight of pota-

atoes could until lately be purchased for seven shillings; they were now advanced to seventeen shillings. The same quantity of oatmeal could until lately be purchased for forty two shillings; it was now advanced to sixty-seven shillings. The average wages of a manufacturer were from nine to eleven shillings a week; and how, out of that sum, an individual could support and clothe himself and family and pay his house rent, he was at a loss to conceive. In other parts they were rather higher, but they were obtained only by working over hours and beyond the usual habits. He then referred to some letters from different parts of the country, confirming these statements. A magistrate of one district, whose letter he held in his hand, declared it was impossible in his neighbourhood, that a weaver, with a wife, and two or three children, even though they were in good health, could earn a subsistence, not so much from a depression of wages, which were rather higher than at the same time last year, but from the great increase in the price of provisions. Another letter from Liverpool, stated that the number of vessels in the docks was only 62, the number of carts employed 66, while 127 were idle, the number of ships in the graving docks 11, though they were capable of holding 27, and in the year 1810 were quite full, besides many waiting to go in, and many on the banks—not one-third of the sail-makers were employed, and but 24 block-makers, with a variety of other particulars, all showing the depression of commerce. The Petitions before the House, and the statements made by several gentlemen in the House, proved that the distress was not merely confined to the commercial and manufacturing towns, but extended to Leicester, Nottingham, Stafford, Birmingham, Kidderminster, Liverpool, &c. &c. and almost through the whole extent of that line of country. Under those circumstances, his lordship thought that there was but one course which presented itself, namely, a committee to consider the Petitions which had been laid on the table. That appeared to be the only means to have a full, fair, and open view of the subject, and to obtain explicit information upon it. If the House should think it right to recommend to the government and to the Prince Regent, the repeal of the Orders in Council, which had been productive of so much distress, he would feel proud of having been, in any way, the

humble instrument of bringing about so desirable an event. But if the House should decide otherwise, he would have the consolation of reflecting, that he had endeavoured to discharge his duty to his constituents and to the country. He might in that case regret the decision; but he should submit to it, and he hoped that others out of the House would submit also, and that there would be no repetition of those disturbances which had disgraced many parts of the country. But at the same time he could not help saying, that it was almost too much to expect a starving population, deprived of the possibility of getting employment, to submit, without a murmur, to an accumulation of distress. It were much to be wished, that the people should always proceed by the proper and constitutional mode of Petition; but he was not surprised at enormities committed by those who seemed to be influenced by no idea but that of their sufferings; and as he believed they acted entirely from the impulse of the moment, in consequence of the distress they laboured under, he thought that there was much to be overlooked in the misguided conduct of those persons. He would not take up the time of the House any further, but would proceed to move, "That the several Petitions which have been presented to this House, in this session of parliament against the Orders in Council, be referred to the consideration of a Committee of the whole House."

Mr. Rose expressed his satisfaction that the time was come when the subject could be fully discussed. From what had fallen from the noble lord, it appeared that he was wholly unacquainted with the real nature of the Berlin Decree. The noble lord had described it merely as a municipal regulation, and that of a nature by no means novel. In May, 1806, in consequence of prior efforts of France to distress British commerce, the late government of this country issued orders to blockade all the ports from Brest to the river Elbe. In the wisdom and justice of this order he perfectly concurred. At that period we had a naval power sufficient to enforce the blockade, and it was consistent with the law of nations to do so. The consequence was, however, the promulgation of the Berlin Decree. This Decree denied our right to take merchant ships at sea, who were endeavouring to violate the blockade. Was that not novel? It declared, that a blockade could extend only to fortified

places, actually besieged, a denial extended by a subsequent explanation on the part of the duke of Cadore, to places besieged by land as well as by sea. Was that not novel? It declared the British islands to be in a state of blockade, prohibited all continental intercourse with them, proclaimed all British subjects, wherever found, to be prisoners of war, and what was more extraordinary and unprecedented in the history of the world, all British merchandise, wherever found, to be forfeited. If British goods for instance were found on board of an American ship trading between America and China, by this Decree they were to be confiscated. Was all this not novel? Was it a municipal regulation? Nothing could be more unlike any former proceeding. He had often been told that the Berlin Decree was nugatory, and that our ships had traded after its promulgation as uninterruptedly as before it. He readily admitted, that from the time of its promulgation, in November, 1806, until after the peace of Tilsit, in July, 1807, the Berlin Decree did actually remain a dead letter; because, during that time, the enemy had no means of enforcing it. But what followed? Immediately that the peace of Tilsit placed his army at the disposal of the French emperor, he marched troops into all the ports of the continent, for the purpose of carrying the Berlin Decree into effect. This active operation of the Decree commenced in August, 1807, and it was well known that two months afterwards no less than 65 British vessels returned, heavily laden, from Heligoland, having been unable to get rid of their cargoes. In consequence of this interruption of British commerce, the Order in Council of 1807 was issued, which recited that the former Order had been found ineffectual, and declared all the ports of Europe in a state of rigorous blockade. This was followed in the succeeding month by the Milan Decree, which enacted that a neutral of any nation, having touched at an English port, or having allowed herself to be searched by an English ship, should for that act be denationalized, deprived of the protection of her king, and treated as English property. These were the two Decrees which the noble lord had characterized as having nothing new in them, nothing that had not been common in former wars; which ought not to have put us on our defence, or led us to retaliate. In April, 1809, the Orders in Council of 1807 were so modified as to confine the prohibi-

now done away. The licensing system had been treated as if new in its nature, but the fact was, that it had always been had recourse to in former wars, in trading with the West India colonies. Notwithstanding what had been said of the unfavourable situation of the country, and all that the French emperor had done to injure us, he had the satisfaction to state that the exchanges had risen since last April, $15\frac{1}{2}$ per cent. with Hamburgh, $9\frac{1}{4}$ with Amsterdam, and 12 per cent. with Paris. He thought upon the whole, he had made it clear to the House, that notwithstanding all the power of the enemy, the trade to Europe was still carried on with considerable advantage, and that it would be great indiscretion in us, to give up a more extensive trade than that with America, for the uncertain advantages which might possibly result from opening the French ports, and renewing our intercourse with America.

Having said so much on the question, he hoped he might be excused for trespassing for a few moments on the attention of the House with respect to what concerned himself personally. There was a Petition on the table of the House, in which he was described as holding a large sinecure office, and totally insensible to the miseries of the country. The noble lord had said he had made use on a certain recent occasion, of very indecorous expressions. He owned if he could have been guilty of treating lightly the sufferings of any class of men, he deserved the severest reprobation. It was the first time in his life that such a charge had ever been brought against him—the first instance in a political life of 30 years;—and how far the gentleman who had made it, in the face of the country, could reconcile the declaration to his conscience, it did not belong to him to say. He thought he had not in the slightest degree, either in his words, or in the manner he uttered them, given occasion for offence of any sort. He was not at the period he alluded to, in the discharge of his official duty; but happened to call on his right hon. friend the Chancellor of the Exchequer for a very different purpose—he was literally an intruder there. Whatever words therefore might be uttered by him, surely ought not to be imputed as a charge against government. However inconsiderate they might be, surely to make them a matter of complaint in a Petition to that House, was without example in the his-

tory of the country. He certainly did say to the gentlemen from Birmingham something like this,—that it might happen that the distress they felt was very great, but still if the relief to them in particular was not consistent with the general good of the country, it could not be granted. If he could not accede to the Petition, his next duty was not to mislead gentlemen. It had happened to him to have more intercourse with the lower orders, than any man either in or out of the House. His doors were always open to all classes, and he never sent any away unanswered. He then produced and read extracts from several votes of thanks from the Spitalfields weavers and the committee of journeymen mechanics, for his kindness to them on several occasions, which instances he selected from a great many for the purpose of shewing, that he was a very unlikely man to treat the sufferings of any classes of the community with levity or disrespect.

Nothing short of an accusation of having committed some horrid crime, could be more revolting to his feelings, than what had been charged against him, and he denied that he had exhibited any such levity. The petitioners from Birmingham he believed to be honest, worthy people, and he was far from charging upon them the malignity of the accusation: but the mind that suggested it was certainly malignant.

With regard to the question immediately before them, there seemed to be a general delusion in the country as to the Orders in Council. "Repeal them, and all will be well: persist in them, and ruin must ensue." That was the general language held upon the subject. Hence, if the House should refuse to go into a committee, the people would think that their sufferings and representations were not attended to; and if the committee was granted, they would then conclude every thing would be accomplished, for parliament was at work in their behalf. He was disposed to admit, however, the propriety of going into a committee; yet he did not wish the people to be deluded by vain and extravagant expectations; he should therefore state it as his firm and unbiassed opinion, that if the Orders in Council were repealed, our trade would be infinitely worse than it then was. But it was due, he thought, to the wishes of the petitioners that their prayers should be taken into consideration; and therefore he should not oppose the motion of the noble lord.

duty was continued, because the emperor of France knew very well that cotton could now be manufactured only for home consumption, and he was careless what duty was laid on, as it would all be paid by his own subjects. But the moment the ports of France were opened, the French would be able to meet us on our own ground. America would be the carrier, and France would have the means of sending her manufactures to Brazil and all South America—she would be easily enabled to do this from her large population. Now what would those who were so strenuous advocates for our trade say to this?—That the commodities of Birmingham, and other manufacturing towns, would find an immediate vent and a considerable market he did not deny, but it was necessary to consider what would be the consequence to our trade in other respects;—what effect it would have ultimately on our trade to other parts.—The trade at present carried on with the north of Europe, amounted in the last year to 18,500,000*l.* being 1,000,000*l.* more than its amount in 1806, and he had the satisfaction to state, that within the last eight weeks it had been increasing 100,000*l.* per week on what it was at the corresponding period in the last year. Was this then the time at which we should risk the whole of this trade? The exports to America had formerly amounted to about 12 millions annually. Of this about half had been carried on on account of foreign colonial settlements. The fair consumption of the United States might then be taken to have been six millions. In the last year our exports to the United States were 2 millions. In 1805, their amount was 11,500,000*l.* In 1806, and 1807, 12 millions. In 1808, they fell to 5,300,000*l.* His opinion had been, that as the trade fell off with the United States, it would increase with other parts of America; and this opinion had been borne out for three years, as the exports to other parts had increased from 11,000,000*l.* to 18,000,000*l.* in 1808. In 1809 they were nearly the same; and in 1810, they amounted to 17,000,000*l.* In the last year (1811), they had however again fallen to 11,803,000*l.* the exports of the United States being but 2,000,000*l.* So that if we could get over the great stumbling block, the Orders in Council, and the trade of America were again open to us, all we ought to expect was, that our exports to the United States would be raised from 2,000,000*l.* to 6,000,000*l.*

annually. If, however, we suffered a loss of 4,000,000*l.* from the want of an open trade to America, what did America suffer herself?—From a paper which had been presented to congress by Mr. Gallatin, it appeared that her exports in 1810-1811 amounted to about 45,000,000 of dollars.—Of these 3,000,000 were to Prussia, 20,000,000 to England, 18,000,000 to Spain and Portugal, 1,190,000 to France, and to all other parts of the world between 2 and 300,000. Compare the importance of her customers. To France her exports were under 2,000,000, to England and her allies 38,000,000, out of 45,000,000, the total amount of her exports. This was the state of American commerce, and if the measures which she had thought proper to adopt were injurious to us, what were they less than ruinous to her? The whole revenue of America, with the exception of the post-office, amounting to about 60,000*l.* was raised on the imports. There were no internal taxes, they being all repealed a few years ago. America must, therefore, be suffering in her resources and revenue in every direction.

Much had been said of what we had suffered in our shipping; but a much larger part of it was employed in the continental trade, than in the trade with America. There was an account of all the shipping employed by Great Britain, on the table. It had been said, nothing but foreign shipping was employed in the carrying trade, and that not a ship of our own was to be seen at sea. The shipping of 1811, was higher than that of 1806. In 1811, there were 12,774. In 1806, 12,239. In the last year he admitted there was a falling off of 300 British ships; but in 1810, there were 6,000 foreign ships employed, and this year they had fallen down to 3,000. It had been stated by the member for Hull, that government stores were frequently carried in neutral ships—but he could say, that the government had always acted sacredly on this principle, never to employ a neutral ship, when a British ship could be found to go. He proceeded to notice the state of the manufactures in this country, and adverted to the West India interests, which he contended, would suffer from an opening of the ports of France. With respect to the licence system, it had its origin with the last government, but he thought it perfectly justifiable and necessary, to prevent the trade of the country being cramped. Many of the objectionable oaths had been

to another? Was it not a sentiment calculated to destroy all confidence between nations, and to interpose an impassable barrier to conciliation; but whatever grounds we might have for disbelieving or for doubting the sincerity of the French declaration, America was bound to receive it, as she would the declaration of any other government. Under those circumstances, therefore, and at the period of time to which he was alluding, America was justified in demanding from us the repeal of our Orders in Council, and it was impossible to read the correspondence between Mr. Monroe and Mr. Foster, without feeling that there was a strong anxiety on the part of the American government to repeal her commercial restrictions. He had dwelt upon these particulars with the more earnestness, because he was extremely solicitous to convince the House, that there had been nothing in the conduct of America towards this country, at all indicative of a hostile disposition on the part of her government; and that the construction which America had put upon the declaration of France, that her Berlin and Milan Decrees were substantially repealed, was such as she was justified in putting. For a considerable time after that declaration, nothing occurred on the part of France to prove that her Decrees were not revoked; and when our minister in America maintained that they were not revoked, he was immediately required to shew that any capture of any American vessel had taken place, or any act of the French government, avowed, subsequently to the alleged revocation, which proved his assertion. This he could not do, and therefore at that time America had good grounds for believing in the revocation, and for requiring of us to fulfil our agreement, by repealing our Orders in Council. Nay, even to this day, he did not hear of any condemnation in the French courts of prize, of vessels taken under the provisions of the Berlin and Milan Decrees; captures he knew there had been, since their alleged revocation, but he was not aware of any condemnations.

There was another important question which the House had to consider. Admitting that France had completely put a stop to our commerce on the continent, what remedy did the Orders in Council offer to us? The right hon. gentleman said, that to them we owed the present prosperous state of our trade; if that were the case, if our trade were at this moment

really prosperous, he should be satisfied of their utility and expediency; but was such the state of the trade; or rather, who would venture to maintain that it was, in defiance of all those Petitions, coming from almost every manufacturing district in the country? He would, therefore, say, that if the experiment could at all be justifiable, the state of our trade now justified it, and it was worth while to try the experiment of repealing those Orders in Council. We certainly had nothing to risk, but probably had much to gain; that must be the inference, if we looked practically at the state of things. But, it was said, if we repealed our Orders in Council France would then be able to obtain raw materials from America to carry on her trade. In answer to that, he would reply, that there was nothing in our Orders in Council as they now stood, which at all prevented France from receiving those raw materials to any extent she pleased into the Weser, the Elbe, and the Ems. He should not, however, go further into the general question, as ample opportunity would be afforded for that when the House resolved itself into the committee on the subject.

Lord Castlereagh said, the vote he should give was not an admission upon the merits of the question, but merely a concession to the wishes of the country, to go into enquiry on the subject. The Orders in Council were not mere commercial regulations, but measures of just retaliation against France; and as an effort against the enemy, they had been proved efficient. He thought too, that the country ought not to abandon such a system on account merely of any temporary pressures, which, however, had not been, in his judgment, at all as heavy as might, under all circumstances, have been reasonably expected. The Berlin and Milan Decrees, he contended, were in full force, and England was always prepared to say, that the Orders in Council should fall when those Decrees were withdrawn. The condition, however, declared on the other side, was, that their Decrees should fall with the surrender of our system of blockade. He trusted that if there was any hostile feeling in America towards us, the conduct of France would bring her back to more mild and favourable sentiments. We should not revoke our system in favour of one neutral to the manifest injury of all others. He would allow that Mr. Monroe did not contend against the prin-

ciple of 1806, but there was a period in which America joined France, to call upon us for a revocation of those principles of blockade which we had hitherto maintained, and the adoption of the maritime rule of France. When such a demand was made, he hoped the House would not be inclined to look upon it as a mere commercial question. It was a question of great national right, and as such it ought to be looked at, and not as a mere calculation of imports and exports. America, he trusted, would not make our conduct a cause of war; but if she did, our duty would be to satisfy our own minds as to the justice of the case, and not to be deterred by our apprehension of war from the maintenance of what we knew to be our right. On the commercial part of the subject, however, he could not help observing, that there was a disposition in gentlemen greatly to exaggerate the difficulties experienced. To impute those difficulties to the Orders in Council, was neither logical nor fair. Looking to the documents on the table, they would find, that the whole state of the commerce during the present war, had experienced an increase rapid beyond example, extensive and unnatural in its degree. They would find that, at the present moment, the export of British manufactures within the year, exceeded the whole amount of the manufactures of France.—The amount of the latter for the last year was 54,000,000*l.* the amount of the former for the same period, 62,000,000*l.* for the year before, 66,000,000*l.* and the preceding year, 49,000,000*l.* Many of the present difficulties might be traced to this unnatural, and as he might call it, diseased and gigantic success, which recoiled back upon the merchants and manufacturers. There was something in the very prosperity of this country, which rendered it more liable to such difficulties, by rendering the individuals less willing to leave their own trades for others. The direct trade with the United States of America, he would allow, was diminished by the unfortunate commercial hostility; but the exports to the other parts of America had risen in proportion, so that the general trade across the Atlantic did not suffer. Notwithstanding the policy of the emperor of France, there was much of the trade of France now open to us, and even in the last year, when the pressure was the severest, we contrived to convey to the continent of Europe exports to the value

of 18 millions sterling. He entreated that gentlemen would not throw out loose and general allusions upon this subject, calculated to embitter the feelings of those who suffered under difficulties which the remedy proposed must aggravate rather than diminish. He was glad that enquiry was to take place, but wished his assent to the motion to be considered not as any unwise disposition to surrender the rights of the country, but merely as a desire to shew the people that there was no intention to deceive them.

Mr. *Brougham* said, that nothing that had fallen from the noble lord should tempt him for a moment to deviate from his resolution of saying nothing upon the question till they had come out from the enquiry, which could alone, in his mind, render them competent to speak upon it. He deprecated, however, the exulting tone adopted by the noble lord in speaking of what the noble lord was pleased to term the prosperity of our commerce. As to the meaning put by the noble lord upon his own vote, it appeared rather inconsistent, that if that noble lord and his friends thought that the Orders in Council were not to be abandoned, they should vote to send those measures, as it were, to their trial, by voting to refer them to the consideration of a committee. It was, he thought, practising a gross delusion upon the public, to hold out to them a shew of relief if none whatever was ultimately intended. He could not divine the motives which had at length, after such a manifesto as they had lately issued, induced the ministers—to use no more invidious terms—induced the ministers to agree to the committee. He expressed a wish that the committee might be gone into to-morrow, and continue to sit from day to day, deferring all other less urgent business until the present was disposed of.

Mr. *Stephen*, in opposition to what had fallen from the hon. and learned gentleman, denied that it was the intention of ministers that the Orders in Council should be put on their trial in the committee. The question to be there examined was, whether any part of the commercial distress complained of, was owing to them, and not whether the policy which dictated them was founded upon right or wrong principles, notwithstanding the petitioners from Birmingham had ventured to decide the question, by asserting that the government had overturned the clearest principles of national law. After the wise

and strong declaration of ministers on the subject just published, it would indeed appear inconsistent if they were to assent to the motion without entering their protest against the supposition that they concurred, because they entertained the slightest doubt as to the propriety of persisting in the Orders in Council. It was a foul libel to assert, that the Orders in Council had been resorted to for the extension of the commerce of Great Britain. He expressed his conviction, derived from experience of the proceedings of a committee four years ago, that little or no benefits would result from the enquiry about to be commenced. He therefore rather assented to the appointment of a committee as a negative good, and to prevent misconstruction; and he trusted that the investigation would be conducted in a fair, temperate, and candid manner. In reply to the speech of another hon. gentleman (Mr. Baring) he maintained, that the government of the United States did insist strenuously not only on the repeal of the Orders in Council, but of the blockade of 1807. After noticing the impossibility that mechanics taken from their looms could be competent judges on a question of such vast magnitude, and asserting that the distresses of trade proceeded from the glut of 1809, and the disturbances from the high price of provisions, he concluded by stating his willingness to go into the committee, for the purpose of quieting the public mind. He reprobated the introduction of such topics as the riots in Nottinghamshire, and the scarcity, in a discussion on the present subject; nevertheless, if the yellow fever raged in the country, and it was the belief of many persons that it proceeded from the Orders in Council, he would consent that the subject should be examined, merely for the sake of removing the false impression.

Lord Stanley, in explanation, said he had not stated that the Berlin Decree was a mere municipal regulation. He wished to enquire whether, if it should appear that the Orders in Council constituted the principal cause of the present distress, his Majesty's government would give up the measure, or persevere in their former declaration?

The Chancellor of the Exchequer replied, that he did not feel it necessary in this stage of the business, before any enquiry had been made, to enter into any pledge or promise as to his future conduct. Supposing, however, that it were proved that

the distresses complained of were in some degree, or altogether, occasioned by the Orders in Council, it would still remain a question for parliament to decide, whether, weighing the disadvantages against the benefits, they should be abandoned. He was fully persuaded that the result of the examinations would be, that the distresses now felt (in the only year out of the four in which the Orders in Council existed in which they had been complained of) originated in causes completely distinct, connected with the excessive commerce previously carried on. He would, therefore, give no pledge as to his future determination.

Mr. Tierney thought that he could answer his noble friend's question, though the right hon. gentleman would not. The Chancellor of the Exchequer had been asked whether he would consent to the committee?—His answer was in the negative. Consulting his friends, however, he found among them such strong symptoms of disaffection as induced him to alter his determination. The Chancellor of the Exchequer was now asked if he would repeal the Orders in Council after the report of the committee had been made? His answer was, No. If the right hon. gentleman should discover, however, that desertion was likely to ensue, and he should be left in a minority, when the time arrived no doubt he would be as ready to repeal the Orders as he was to consent to the committee upon them.

The question was then put, and agreed to, and it was ordered that the committee on the Orders in Council should sit to-morrow, and be continued 'de die in diem.' Witnesses from Birmingham, Sheffield, Manchester, &c. were summoned to attend on the motion of Mr. Brougham.

MR. HENRY'S SECRET MISSION TO THE UNITED STATES.] Mr. Whitbread, referring to the accounts just received by the American papers, of Mr. Madison's Message to Congress, relative to an authorised agent being employed by the British government to foment the separation of the Eastern State from the Union, and ascertain the sentiments of the people of Boston on that topic, wished to ask the noble lord opposite, if he avowed the authenticity of the letter stating this fact, or knew of such agent so authorised?

Lord Castlereagh replied, that, in his opinion, this matter had been very unfairly brought forward by the American

government. He thanked the hon. gentleman for affording him this opportunity for explanation, and begged, on the part of the British government, to disclaim, most explicitly and peremptorily, having encouraged any disposition of the kind alluded to. It was true, that an agent had been employed by sir James Craig, without the privity of the government, who only heard of that circumstance in the dispatch—announcing, at the same time, that he had been recalled, on the appearance of a pacific understanding being come to between the countries—having only been sent for the sole purpose of receiving information necessary to the commander of a province threatened with invasion.

Mr. *Whitbread* read a passage from a letter dated 26th Feb. 1809, mentioning the separation of the Union, and wished to know on its being communicated to government, what steps were consequently taken?

Lord *Castlereagh* was not prepared to say that any blame had been attached to sir J. Craig. All that he had directed the agent to ascertain was, the temper of the States near that which he had to defend: and that he had no other objects but defence in view, was clear, from his immediately recalling the person when the apprehension of invasion was over.

Mr. *Whitbread* said, he was not at all satisfied with this answer, and would be glad to know if government would produce the correspondence with sir James Craig, if moved for?

Mr. *Ponsonby* also referred to a letter from Mr. Ryeland, to the agent, Henry, in which he proposed to furnish him with a cypher, in which to carry on his correspondence, and authorized him to meet any leading men on the subject of the separation, if they shewed a disposition to come under the protection of the British government. He was desirous of information on this subject.

Lord *Castlereagh* said, he had not found this letter among sir J. Craig's correspondence.

Mr. *Whitbread* then gave notice of a motion for the production of these papers to-morrow.

HOUSE OF COMMONS.

Wednesday, April 29.

EXPENCE OF PUBLISHING PROCLAMATIONS IN THE IRISH NEWSPAPERS.] Sir *John Newport* moved, "That there be laid

before this House, a detailed Account of the expenditure of the sum of 10,205*l.* 12*s.* paid from the Treasury of Ireland, for publishing Proclamations, and other matters of a public nature, in the Dublin Gazette, and other newspapers in Ireland, from the 5th of January 1811 to the 5th of January 1812, specifying the titles and dates of the Proclamations so published and paid for." In making this motion, the right hon. gentleman reprobated the wasteful manner in which the public money was expended, by the publication of these Proclamations, which, he said, were frequently given to the proprietors of newspapers, as a remuneration for their services, in supporting the measures of the government.

Mr. *Wellesley Pole* felt no disposition to object to the motion, although the right hon. gentleman had not given any regular notice of his intention to bring it forward. With respect to the wasteful manner in which the right hon. gentleman had stated the public money had been squandered, he had only to observe, that during the last year, for the first time, the expenditure for the purposes alluded to, had been much less than on any former occasion, having been within the sum allowed by parliament for that purpose. When the right hon. gentleman was Chancellor of the Exchequer for Ireland, the expenditure was 17,000*l.* per annum, and was never less than 15,000*l.* The newspaper in which the proclamations were generally inserted, was *The Dublin Journal*, which it was known had been the channel through which the Irish government had issued their orders for fifty years. As to the assertion, that the Irish government had rewarded or encouraged the conductors of newspapers who had thought proper to support their measures, by any unnecessary expenditure of public money, he begged leave to give it the most unqualified contradiction.

Mr. *Parnell* gave full credit to the right hon. gentleman, for the economical measures which had been pursued by the present government of Ireland. He, however, observed, that it had been candidly admitted by his predecessor in office (lord Wellington,) that those proclamations were given to certain papers as a reward for their advocating the measures of government.

The motion was then agreed to.

BILL FOR PREVENTING THE COUNTER-

FEITING OF SILVER COIN.] The *Chancellor of the Exchequer* postponed till to-morrow his motion for repressing the issue of Local Tokens. He should now, however, pursuant to notice, move for leave to bring in a Bill to increase the penalties imposed last year on the imitating and counterfeiting of tokens issued by the Bank. He proposed also, that provision should be made in the Bill for repressing an abuse which must have come within the observation of many gentlemen—he meant the engraving of pieces of paper which had all the semblance of Bank notes, and which were calculated to catch the eye of the unwary. He had seen a parcel of these papers, which at a little distance, and when not narrowly inspected, had the appearance of bank-notes for one, five, or twenty pounds, which escaped the charge of forgery by having the word ‘pins’ instead of pounds, but which from their texture and appearance might escape detection and pass with the unwary, as had actually happened in a variety of instances. The present penalty for fraudulently putting off such papers was only six months imprisonment. He proposed that the Bill should increase it to 12 months imprisonment for the first offence, and that the offender should find security for his good behaviour for two years. For the second offence, he had to propose transportation for 7 years. For the more effectual prevention of the counterfeiting of Bank tokens, he proposed, that the offence should be made a transportable felony for 14 years. He concluded with moving,

“That leave be given to bring in a Bill for the further prevention of the counterfeiting of silver coin issued by the governor and company of the bank of England, called dollars; and of silver pieces issued and circulated by the said governor and company, called tokens; and for the further prevention of frauds practised by the imitation of the notes or bills of the said governor and company.” Leave granted.

PETITIONS FROM SHEFFIELD, AND WHITBY, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY’S CHARTER.] A Petition of the merchants, master manufacturers, and other principal inhabitants of the town and neighbourhood of Sheffield, agreed upon at a meeting held at the Cutler’s-hall on the 6th day of April, 1812, was presented and read; setting forth,

“That the petitioners cannot, without deep concern, and some degree of alarm,

contemplate the present state of the commerce and manufactures of the United Kingdom, excluded as they are, in a great measure, from the principal markets in every quarter of the globe, from the continent of Europe by the envious malignant and persevering exertions of the lawless ruler of France, from North America by those intricate and long protracted disputes which continue to perplex the councils of both nations, from Africa by the difficulty of access, and the barbarism of its general population, and from the richest provinces of Asia by the exclusive monopoly of the East India Company; and that the petitioners trust they shall ever bear, without murmuring, all necessary burthens and unavoidable privations, rather than compromise, in the smallest degree, the honour, the interest, or the security of their country; they cannot, however, but feel it a duty thus candidly and temperately to state to the House, the difficulties and distresses which all ranks of mercantile men and manufacturers in the town and neighbourhood of Sheffield experience at the present time, and to claim, with freedom and confidence, every relief and assistance within the power of the House to afford; and that the petitioners are convinced, that one of the most easy and effectual measures for this purpose would be the discontinuance at the close of the present grant of the East India Company’s commercial monopoly; and that the petitioners are fully persuaded, if the trade to the East Indies were thrown open to all his Majesty’s subjects, such new and abundant markets would be discovered and established, as would enable them to set at defiance every effort to injure them by that sworn enemy to their prosperity, and the peace of Europe, the present unprincipled ruler of France; and that the petitioners doubt not, if the trade of this United Kingdom were permitted to flow unimpeded over those extensive luxuriant and opulent regions, though it might, in the outset, like a torrent repress and swoln by obstruction when its sluices were first opened, break forth with uncontrollable impetuosity, deluging instead of supplying the district before it; yet that very violence which, at the beginning, might be partially injurious, would, in the issue, prove highly and permanently beneficial; no part being unvisited, the waters of commerce, that spread over the face of the land as they subsided, would wear themselves

channels through which they might continue to flow ever afterwards in regular and fertilizing streams; and that to the wealthy, enterprising, honourable and indefatigable British merchant conducting in person his own concerns, no obstacle would prove insurmountable, no prejudice invincible, no difficulty disheartening; wants, where he found them, he would supply; where they did not exist, he would create them, by affording the means of gratification; and that the petitioners are aware, that the commercial monopoly of the East India Company, while it is exceedingly prejudicial to the mercantile interest of the community at large, is only in a small proportion profitable to the proprietors themselves, and, if permitted to continue, there is reason to believe that its advantages will be gradually reduced and deteriorated; on the particular evils resulting from this monopoly the petitioners forbear to expatiate, being well assured that these will not escape the vigilant eye of the British legislature, nor be suffered longer to exist than the welfare of the colonies themselves, and the strict justice due to the claims of the East India Company, shall imperiously require; and praying the House to take into serious consideration the propriety of refusing to renew the expiring grant of an exclusive right of trade to certain countries between the Cape of Good Hope and the Straits of Magellan to the East India Company, the petitioners being convinced that such a measure offers the fairest probability of alleviating the distresses of this country, reviving its commerce and manufactures, improving its revenue, increasing the navy, and, with the navy, the strength of the British empire, and under the blessing of Providence, enabling us most successfully to defeat the ambitious projects of an implacable foe, who finds our resistance an insuperable bar to the accomplishment of his scheme of universal domination."

A Petition of the merchant ship owners and other inhabitants of the town of Whitby, in the county of York, was also presented and read; setting forth,

"That the approaching expiration of the East India Company's Charter having occupied the attention of the House, the petitioners beg leave to observe, that, if the trade to the British dominions in India and to the immense and populous countries included in the Charter, were laid open to

the skill industry and capital of private merchants, it would be conducted with a degree of energy and economy which a large public body is incapable of exercising, new channels of commerce would be discovered, the consumption of our manufactures extended, and our shipping increased, to the advantage of the parties concerned, and the permanent augmentation of the wealth power and resources of the British empire; and that the extensive and flourishing commerce of the United States of America with India and the Chinese empire, exhibits a proof that these expectations of advantage from the exertions of private individuals are not unfounded; and that the petitioners hope and trust that no reason can be found, either in justice or in policy, for the exclusion of the out-ports from the benefit of the trade with India; and though the inhabitants of the port of Whitby might not embark directly in the trade, yet they have no doubt of profiting in common with their countrymen, from the increased employment which it would offer to British shipping, and the new markets which it would open to our manufactures, and the petitioners further humbly request that the House will not impose any restraint on the British merchant respecting the burthen of any vessel to be employed in the trade, but leave the choice to his own judgment and discretion; and praying the House will be pleased to adopt such measures as to their wisdom shall seem meet, for granting to all his Majesty's subjects, from and after the expiration of the East India Company's Charter, a free trade to and from India and its dependencies, and to and from the empire of China."

Ordered to lie upon the table.

PETITION OF THE MERCHANTS, &c. IN GLASGOW, IN FAVOUR OF THE ORDERS IN COUNCIL.] A Petition of the subscribers, merchants, and manufacturers in Glasgow, was presented and read; setting forth,

"That the petitioners having been informed that certain merchants and manufacturers of the city of Glasgow have represented to the House, that the trade and manufactures of the nation, and particularly of that part of the United Kingdom, have been greatly injured by the operation of his Majesty's Orders in Council of the 26th of April, 1809, the petitioners think it due to themselves humbly to state to the House that, in their opinion, the Orders in

Council have not limited or restricted the trade and manufactures of this nation, or of that part of the United Kingdom, excepting in so far as they may have been the means of producing those measures on the part of the American government which have led to the interruption of a direct intercourse with that country; that, viewed as a measure of hostility and retaliation against the enemy, they have been eminently successful, since they have injured his revenue, entirely destroyed his commerce, and deprived him of the means of disposing of the productions of France and Holland; that, under the persuasion of the truth and justness of these opinions, the petitioners humbly apprehend it would be unwise to sacrifice, to the wishes of a small proportion of the trading part of the community, to the threats of any power whatever, or to an object comparatively of small importance, a system of acting, which has already produced consequences so disastrous to the enemy; and praying, that no steps may be taken to advise the relinquishing of measures and principles essential to the vigorous prosecution of the war."

Ordered to lie upon the table.

[CHARITABLE DONATIONS REGISTRY BILL.]
Mr. Lockhart moved the order of the day for the third reading of this Bill.

Sir W. Curtis said, the principle of this Bill was such, as to call for general approbation; yet there were clauses in it which, in his opinion, would completely overbalance any good effects which might result from it. He should, therefore, give his vote against its passing into an act.

Mr. Wilberforce said, he was really going to see whether the opposition of the worthy alderman was given with a grave face or not. He saw it was, although he observed a smile on the countenance of the worthy alderman, at which he was not surprised, when he recollected that the only objection which induced him to oppose the progress of the Bill was, the fact of there being no exemption of the Charities of the city of London. He begged to assure the hon. member, that there was not the slightest suspicion entertained of the honour of the different guilds of the city of London; but if they were exempted from registering their donations, the same privilege would be claimed by other corporations, and the great object of the Bill would be defeated. Indeed, such claims had actually been made from Bris-

tol and other places, but they had been studiously resisted, as interfering with the main principle of the measure.

Mr. Lockhart expressed his surprise at the objection which had been urged by the hon. baronet. The more especially when he considered that there had been but one single petition presented against the Bill, and that from the Merchant Taylors' Company; which, while it approved of the principle of the Bill, objected to provisions therein which did not in reality exist. The regulations proposed were extremely simple, and such as no honest man could fairly dissent from.

Mr. Wrottesley stated, that he had received a letter from the Merchant Taylors' Company, calling upon him to oppose the Bill, as unwise and unnecessary; but on examining its merits, so far was he from concurring in the opinion that it was unwise or unnecessary, that he conceived it of great importance, and likely to be productive of the utmost benefit to the public, as it would prevent those abuses in the disposition of charitable donations which had so long existed with impunity. He should give it all the support in his power.

Sir James Graham conceived the Bill wholly unnecessary, and only calculated to put money in the pockets of the persons with whom the registries were to be made.

Mr. Thompson supported the Bill.

Mr. Herbert wished that royal hospitals should be exempted.

Sir W. Curtis said, the objection to the Bill did not arise with the corporation of London, but with the twelve companies.

The question being then called for, the House divided—For the Bill 32; Against it 11; Majority 21. The Bill was then read a third time, and passed.

COMMITTEE ON THE PETITIONS AGAINST THE ORDERS IN COUNCIL.] The Speaker wished to ascertain whether it was intended to adhere to the accustomed rule of not permitting witnesses to be in hearing during the examination of others. It was right that this point should be settled at their outset. Upon this a conversation of some length arose, in which Mr. Brougham, the Speaker, Mr. Tierney, Mr. Ryder, and other members participated, and it was at last understood, that witnesses in hearing during the examination of preceding witnesses, should be liable to be objected to on that account.

The order of the day for going into a committee was then read.

Sir T. Turton, not having been in the House last night, rose to ask a few questions. He wished to know if the right hon. gentleman opposite meant to go into a committee merely to ascertain the distresses of the country, and not to endeavour to discover a mode of relieving them? If so, it was to add insult and illusion to the misery of the petitioners. He asked if, consistent with the Declaration published within these few days by the government, it was possible for them to yield the relief of a repeal of the Orders in Council? They could not; and therefore he thought the Committee nugatory, and the hope of these unfortunate persons forlorn. He required explanation on several other points in the discussion of last night.

Mr. Rose said, that what he had stated last night was, that it did not follow that America would, of course, be satisfied with the repeal of the Orders in Council.

Mr. Stephen explained a misrepresentation of his speech last night. He did not say that it would be necessary to have Vattel, and Puffendorf, and Grotius on the table of the committee, but that if every matter connected with the enquiry was gone into, as held out by gentlemen on the other side, that might be the natural consequence. With regard to the Petitions against the Orders in Council, he had said, that if it had been thought ministers were inclined to alter their system of policy, there would have been a number of counter Petitions. He had also maintained the doctrine, that a country might cease a retaliating measure, if it found itself hurt by it.

The Chancellor of the Exchequer, alluding to an expression of sir T. Turton, that the committee would be illusory and insulting, animadverted, in pointed terms, on the use of such language. If the course taken by government were called so, nothing could be more mistaken than the motives imputed to them; and what would, on the other hand have been said, had they refused to go into this committee?—that they had refused to hear the Petitions, and enquire into their distresses; and then, indeed, the charge of insulting would have been rung in their ears. He considered it to be due to the petitioners to ascertain the full extent of their grievances, while at the same time they might determine to persevere in that line of policy most beneficial to the general interests of the empire. With regard to the Declaration alluded to, it certainly contained the sentiments of

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the Prince Regent's government, called forth as they were by the statement of the French minister, declaring the Berlin and Milan Decrees to be fundamental laws of the French empire, and attaching no consequence to the repeal of the Orders in Council, unless accompanied by the abandonment of our maritime rights. After this he was convinced, if America acted with the impartiality she professed, when this document was produced, she could not, without making common cause with France, pretend to say, that the Berlin and Milan Decrees were repealed—and must be bound and obliged to put this country on an equal footing with France, nor grant her indulgences not granted to us. But at the same time ministers entertained these views, were they, as members of parliament, to refuse to enquire into the extent of the mischief done to our manufacturers, and ascertain how much might be attributable to the Orders in Council—how much to other causes?

Mr. Whibbread said, that from the arguments of the right hon. gentleman, and from the Declaration of the government which had just been published, he was quite convinced that, till within a few hours of the time, that right hon. gentleman had been disposed to resist going into this committee; and, therefore, he was not now to ascribe his acquiescence to respect to the petitioners, but to his being compelled to the vote, by the hints of his own friends, that they would not give him their support in refusing the enquiry. He denied that the Declaration was well founded, and maintained that the policy of the right hon. gentleman, if persevered in, and not checked by the House, as his former determination had been, must inevitably lead to an American war.

Mr. Wilberforce earnestly recommended to the House to enter into this examination with a proper and serious feeling for the distresses of the country, and with their minds purged of all party views. They ought to set themselves fairly to ascertain the extent and amount of the evil, and to what causes it was to be ascribed, with a desire to remove them if possible. This being their duty, he could not help condemning the line of argument adopted by the hon. gentleman who spoke last. It was wrong to impute bad motives for an act which he himself considered to be a good one; instead of the most obvious and natural motive, a feeling for the distresses

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traders would not purchase the woollens without a considerable abatement in the price, although these were of the uniform quality and description usually exported by the East India Company, and heretofore so confidently received in that market without inspection, the Hong merchants alleging that the goods were inferior merely from this alteration in the exterior form of the package; and that the petitioners therefore conceive themselves warranted in the apprehension, that should the trade to China be opened to the public, not only their interests would be injured materially, but that also the profitable intercourse with the Chinese empire would be endangered, if not annihilated; and that the petitioners have expended a large capital in the erection of buildings and machinery for the manufacturing and painting of the said fillets, employing therein a great number of workmen, who have large families; and that, should the charter of the East India Company not be renewed, the petitioners must suffer nearly a total loss in the sale of their premises, the same not being convertible to any other purpose, and the numerous poor families dependant thereon for their support, will be reduced to poverty and distress; and the petitioners, relying on the wisdom of the House, humbly submit the above statement to their consideration, and express an earnest hope, that the final determination of the House will be, to continue the trade to India and China through the East India Company, by whom it has been conducted in a manner so highly creditable to themselves, and so advantageous to the general interests of the country."

A Petition of the provost, magistrates, and town council of the royal burgh of Montrose, in council assembled, was also presented and read; setting forth,

"That the petitioners are informed, that the Company of merchants of England trading to the East Indies, have applied to parliament for a renewal of their charter; and that the petitioners beg leave respectfully to convey to the House their sentiments on a subject of such importance to the empire; and that the experience of past times has proved, beyond all dispute, the baneful effects of monopolies; and the petitioners think they are sufficiently warranted in asserting, that, while the monopoly hitherto enjoyed by the East India Company has precluded the

private merchant from participating in the trade, it has been far from operating to the advantage of the Company; and that the petitioners do not mean to suggest any thing to the House with regard to the government of the Company's possessions in India, but they would humbly propose that the exclusive privileges of the Company should not be renewed, and that the trade to the extensive countries between the Cape of Good Hope and the Straits of Magellan should be laid open to the commercial enterprize of all the subjects of the empire; and that it appears extremely unreasonable, if not unjust, that the inhabitants of the United States of America, and the subjects of other governments in amity with Britain, should be admitted to commercial intercourse with the British possessions in India, while the subjects of Britain are excluded; and that the petitioners are humbly of opinion that the admission of a free trade with the countries comprehended under the exclusive grant of the East India Company will afford an extensive field for the employment of mercantile talents and capital, and be productive of the greatest benefit to the manufacturing interest of the country; and praying the House to adopt such measures as may render it lawful for any of his Majesty's subjects, from and after the expiry of the East India Company's present charter, to carry on, from any of the ports of the United Kingdom, a free and unlimited trade with the British possessions in India, and with other countries situated to the East of the Cape of Good Hope, and to the West of Cape Horn."

A Petition of several magistrates, council, and merchants of the royal burgh of Linlithgow, with the merchants and traders of the port and harbour of Borrowstonness, was also presented and read; setting forth,

"That the petitioners have seen, with alarm, attempts making by the East India Company for a renewal of their monopoly of the trade to the Eastward of the Cape of Good Hope at a period when all exclusive grants are considered, by the universal consent of mankind, as hostile to the true principles of enlightened policy; and that the petitioners, in common with the rest of their fellow countrymen, looked forward, with satisfaction, to the moment when the Charter of the Company should expire, and when a new field was about to be laid open to the spirit and enter-

prize of every port in the United Kingdom, which they humbly conceive might lead, in no small degree, to relieve our commerce in its present calamitous circumstances; and praying, that no exclusive grant may henceforth be given of the trade to any of the countries to the Eastward of the Cape of Good Hope, but that the House will adopt such measures as that the commerce with those countries may be extended to every port in the United Kingdom willing to enjoy it."

Ordered to lie upon the table.

HOUSE OF LORDS.

Friday, May 1.

CAPTAIN HENRY'S SECRET MISSION TO THE UNITED STATES.] Lord *Holland* adverted to the notice he had given for the production of the Correspondence relative to the Mission of captain Henry, and observed, that he had conceived that ministers, if they were not themselves solicitous to lay the correspondence upon the table, would at least not oppose a motion for the production of it. Since he came into the House, however, he had heard with considerable surprise that it was their intention to oppose the motion: he was the more surprised at this, it being a subject in which the public took a deep interest, and respecting which it appeared essential to ministers themselves to produce the correspondence. His motion would be for copies of the correspondence between sir James Craig and the Secretary of State, relative to the mission of captain Henry, the correspondence with sir George Prevost relative to the same subject, and the letters from the Secretary of State to sir George Prevost, relative to the compensation claimed by captain Henry. As this motion was, he now understood, to be opposed, he should not bring it forward to night, other business standing for discussion, but should fix it for Tuesday. On the latter day, a motion of a noble friend of his also stood for a committee of the whole House, to enquire respecting the distresses of the manufacturers, in consequence of the operation of the Orders in Council; but as the committee had been granted in another place, he could not conceive that it would be opposed here, in which case his noble friend's motion would not be debated, and his own would stand.

The Earl of *Liverpool* said, that whenever the noble baron should bring forward

his motion, he should be perfectly ready to state the grounds on which he deemed it his duty to oppose the production of the documents, and to state such circumstances of the transaction as had induced him to form such a conclusion. He was ready to meet the noble baron on the subject on any day; to that specified he had no objection, as there was no intention of opposing the intended motion of referring the Petitions against the Orders in Council to a committee of the whole House.

The Earl of *Lauderdale* observed, that as it was intended to grant the committee, there ought to be some understanding as to what time it was likely to occupy the House; or whether they were to sit *de die in diem*, or in what other way.

The Earl of *Liverpool* assented to the propriety of having some understanding as to the days, or hours in each day, that should be allotted to the enquiry. He had no objection to go into the committee on Tuesday, but as that might not be convenient he would mention Thursday.

BANK OF IRELAND.] Lord *Holland* rose to ask, whether it was the intention of the noble lord at the head of the Board of Trade, to lay any papers upon the table respecting the issue of notes by the bank of Ireland, those relative to the bank of England being already before the House, and the Gold Coin Bill which stood for a committee this night being now extended to Ireland?

Earl *Bathurst* said, he had no intention to lay any papers of that description upon the table, but noble lords on the other side might have moved for them two months ago, and he should not have objected to their production.

Lord *King* observed upon the necessity of having information on the subject before they came to the discussion, which was now for the first time extended to Ireland, where the sale of guineas, and the discount of Bank-notes, had been legalized.

The Earl of *Liverpool* had no objection to the production of information respecting the bank of Ireland, but could not consent to delay the Bill for the purpose of waiting for the information. The only reason for not extending the Bill to Ireland last session, was the absence of the Irish members.

The Earl of *Lauderdale* contended on the contrary, that the difference in the si-

racks for 421 men, cost 34,456*l.* being at the rate of 82*l.* for each man and horse. Edinburgh cavalry barracks for 406 men, cost but 31,870*l.* being only at the rate of 78*l.* for every man and horse, whereas in the plan before them, the expence would be at the rate of 400*l.* for every man and horse, this was an excess that no difference in the price of materials then and now could at all explain or account for. It was, he contended, a total departure from all economical honest principles, and from all controul, and as such he disapproved of the whole business. Gentlemen should take into the consideration of the question, the heavy burdens which were imposed upon the people; there was, assuredly, no period when it was more necessary to do so. The last paper which had been put into the hands of the members of that House, ought to render them more particularly cautious in adding to a pressure already so severe. It appeared that of 98 millions of money, which now constituted the annual expenditure of the country, five millions had been added since last year; and there was an addition of not less than the enormous sum of 55 millions since the commencement of the war. Besides, great as were the estimates for the current year, he was confident that they would be exceeded by the expences of it, and he would beg further to remind the House, that our funded debt was not less than 817 millions, while our unfunded debt amounted to fifty four. He was influenced by no party feeling in what he had uttered, and would conclude, by moving, "That the further consideration of the Report be postponed to that day six months."

Some conversation took place on the effect of such an Amendment on the part of the Report not objected to, Mr. Fremantle consented to withdraw his Amendment, and another was moved at the suggestion of Mr. Banks, substituting the sum of 434,000*l.* for the original sum of 524,000*l.* which the House was called on to vote.

General Turliton objected to the erection of barracks at Liverpool, upon the ground of that town being by no means situated in the direct line to Ireland; and as it was important to preserve the intercourse with that country as closely as possible, he thought the most natural course of communication would be by the way of Portsmouth and Plymouth to the Cove of Cork, a course which would be peculiarly advantageous; first, from the march of

the troops from Kent and Sussex, the two principal military counties of England, being much less circuitous to the last-mentioned places than to Liverpool, and next, from the great facility of debarkation between Kinsale and Cork, from the peculiar boldness of the shores. He then adverted to the local objections to the erection of barracks at Everton, and suggested the propriety, if it was determined to erect barracks at Liverpool, to select some place less objectionable to the inhabitants.—A number of villas had been built on the adjacent grounds, and it was a favourite spot, to which the merchants and mariners of Liverpool retired after weathering the storms of life.

Mr. C. Smith thought that the profusion of the proposed grant had been unanswerably shewn by the hon. gentleman who moved the amendment. He himself did know of the scandalous jobs in the erection of barracks at Bath; and with regard to the site of the proposed barracks at Liverpool, it was very likely that a beautiful view for the officers might enter into the plans of those who suggested them. The expence of the barracks at Bath was much greater than in any other instance, but the new barracks at Marylebone would cost four times as much. If the House assented to such profusion, they must labour under the grossest delusion with regard to the feelings of the people on the subject of our expences.—A man could hardly enter a stage-coach, but the first questions which he heard were; "How is the country to go on with our present expences? How is the loan of the present year to be made?" and other enquiries of a similar kind. In the present depressed state of our manufactures and commerce, no one circumstance so much aggravated the feelings of the people from one end of the kingdom to the other, as the system of extravagant expenditure that was pursued. The Chancellor of the Exchequer seemed to lament it; and it really would appear that he had not the means of its prevention, but must conform to the wishes of these in a higher quarter. The last ministry had given pledges, and had shewn some disposition towards retrenchment; and he really believed that this was one cause why they had existed so short a time. Financial extravagance had been the destruction of all modern governments; the first disturbances of the French Revolution had been occasioned by the unbounded profusion of the French

princes; and ministers should recollect, that he was the best friend to the stability of the government who suffered no opportunity to pass of recommending economy. The apathy of the Houses on subjects of this nature was really astonishing. They were become like extravagant spendthrifts, who durst not look their affairs in the face, and the deeper they plunged in difficulties became more indifferent as to the future. It was his opinion, that at the present rate of expence, two or three years would certainly put an end to the system. Yet with such things staring us in the face, the most profuse and unnecessary expences were recommended. The only way to obtain a solid peace was to shew our potent enemy, that, by a system of retrenchment, we were able to carry on the war to an indefinite period.

Mr. *Bathurst* contended, that it was highly necessary to erect barracks at Bristol; first, with a view of relieving the innkeepers from the burdens they had to encounter by the number of soldiers who were continually quartered on them, and next on account of there being 5,000 French prisoners confined within four miles of the city.

General *Gascoyne* said, the objections of the inhabitants of Liverpool were, not to the erection of barracks, but to the place selected for that purpose; which was one inhabited by the most respectable people of Liverpool, who did not object to the soldiers, having no doubt of their discipline, but to the people who sold liquor, soldier's wives, and such description of persons as generally settled in the neighbourhood of troops. He intimated, however, that the commander in chief had expressed his readiness to meet their wishes, by the abandonment of San Domingo, provided any spot equally eligible could be procured.

Mr. *Wrottesley* said the House ought well to consider, if it were necessary to erect the barracks at all. It was said the inn-keepers would be released by the measure, but did gentlemen consider what a permanent expence these would entail on the country? If happily a peace were made to-morrow, these would still be an expence to the country. Might it not then be better to give the inn-keepers some compensation for the inconveniences to which they were subjected. If quartering the soldiers in Bristol would be too far from the French prisoners in that neigh-

bourhood, why, he would ask, was Bristol, a seaport, selected for a depôt for French prisoners? It had been stated on a former evening, that one of the reasons for erecting barracks in Mary-le-bone-park was, that if any disturbance should arise in the metropolis, they might be called out to crush it immediately. He admitted that government should have the means of putting down a riot at once, but with a view to effect this, was it necessary to have the military actually in the metropolis. What were the barracks at Hounslow, &c. for? We had a sufficient number of troops within two, or at most three hours march of the metropolis, to quell any such tumult. If the barracks were to be erected at all, he thought they ought to be built on a more economical plan than had been proposed. Were the barracks intended to ornament Mary-le-bone Park? There was no reason why the public money should be squandered away imprudently for the purpose of ornamenting this or that park. It seemed now to be wished to separate the military altogether from the people. Why else were there so many barracks erected, and the military colleges of Marlow and Sandhurst established, when the boy who entered at 12 or 13 years of age never could have a common feeling with the other inhabitants of the country. Upon the whole he thought it would be much better to give the sum proposed for the erection of these barracks in aid of the distressed manufacturers of the country; and he should therefore decidedly vote against the grant.

Mr. *Wharton* supported the original grant. As to the barracks at Bristol and Liverpool, there was no argument made against the necessity of the first, which was at all tenable, and the objection against the other was altogether local. The Commander in Chief allowing its full weight to the Petition of those who did not wish that a barrack should be built on the scite of San Domingo, near Liverpool, had given two months time to the applicants to find out a situation instead of it: and there was not certainly the least desire on the part of government to build on that scite, if one equally convenient could be had. As to the arguments of the hon. gentleman who spoke against the principle of barracks altogether, he should like to know from the hon. gentleman if it were possible by any enchantment, to do away at once all the barracks in the country, did he imagine that the troops could

be quartered in the same way in which they were quartered before those barracks existed? The hon. gentleman knew that was impossible; and it was, therefore, unfair in him to advance such an argument. As to the proposed barracks at Mary-le-bone, that subject divided itself into two considerations,—1st, whether the barracks were necessary; and, 2dly, whether the plan proposed was the most proper to be adopted. As to the necessity, he considered it absolutely imperious; and he, therefore, should not waste the time of the House in making out that which was evident to every one; but the other consideration was one of detail, and to be met by calculation. The hon. gentleman who opened the debate had said, that the estimate of 133,000*l.* would not cover the whole expences, as the value of the ground, 35,000*l.* was to be added to that estimate. But did not the hon. gentleman know, that if the government were to purchase ground for those barracks, there would be incurred an actual expence of nearly the same sum? He did not wish to deny that the sum proposed was an enormous one—but at a rough calculation, he contended that it was impossible to build cavalry barracks at a smaller expence. It was said, that the plan adopted was more expensive than that on which the Hyde Park barracks were built. Now the fact was, that the model of both was the same, with the exception of one particular, which went in favour of Mary-le-bone barracks, and that was, that in the latter, there would be a parade; which would serve at the same time, for an exercising ground, while at present, government was at great expence for an exercising ground to serve for the troops at Hyde Park. It was asked by another hon. gentleman, was there not a sufficient number of barracks within two or three hours' march of London in case of any insurrection or disturbance: but he had to inform that hon. gentleman, that the barracks at Mary-le-bone were to be built on the principle of a depot [Hear, hear, from sir F. Burdett and other members.] He did not know what there was in this observation to excite the cheers of the gentlemen opposite. He then argued against the unfairness of the estimate brought forward by the hon. mover of the amendment. When that hon. gentleman made the comparison that he did between the expence of the former barracks and the estimate for the present, it was rather uncandid; not to allude even in the most

distant manner to the prices current at both periods. At the former period timber was at 3*l.* and now it was at 13*l.* and other articles were nearly in proportion. He concluded his observations with a few remarks on the plan for building the barracks proposed by Mr. Nash. Mr. Nash said, that by a judicious arrangement, a saving of one-third might be made; but what was this arrangement of Mr. Nash, who he allowed to be a man of genius and fancy in his profession, though his talent was not particularly exerted in behalf of the soldiers on this occasion? Why, that all the nuisances belonging to such a place as the barracks were to be in the very midst of the barracks themselves. After saying this, he thought he would be excused from arguing more at length on the judicious arrangement of Mr. John Nash. Mr. Nash was said to be in the habit of building very ornamental houses for gentlemen; but if he treated gentlemen as he would the soldiers, he could not well account for his press of business in this ornamental way.

Mr. *Bankes* spoke in favour of altering and reducing the present estimate. He said that he for one could not agree to vote away any sum at the present moment that could by possibility be avoided. He was convinced there were so many very heavy expences coming upon us from various quarters which must be attended to, that the utmost economy in every department of our expenditure was absolutely necessary; and he would not do any thing that might give a check to our exertions in the peninsula. If the country was to be burdened with large additional sums, let them be applied to carrying on the war in the peninsula. This was, in his opinion, a very bad time to build expensive barracks when timber was at so high a price: and it might, from various circumstances, be reasonably hoped, that in a short time a great alteration would take place. He was sure there was a very great profusion in the estimate of the present barracks, and he saw no necessity for building the officers' lodgings in the barracks.

General *Ph. pps* having heard it observed, that the officers did not need to be accommodated in the barracks, thought that officers ought always to be lodged along with the men, otherwise they might easily be intercepted, on any emergency, in going separately from their homes.

Sir *J. Newport* wished to ask the hon. general, whether the officers of the foot

guards were quartered along with the men? and whether he had ever heard of any inconvenience having resulted from their not being so quartered?

General *Phipps* had to answer the right hon. baronet that it would be much better if they were.

Mr. *Cresceny* observed, that though the valuable lease of 548 acres of Mary-le-bone Park had fallen into the crown within the last year, and there had been no report from the surveyor-general of the land revenue of the crown since that of Mr. *Fordyce*, in 1809, yet that no report had been made this session. This was a breach of the act of the 50th of the King, which directed such reports to be laid before parliament every three years. It was the duty of lord Glenbervie to have furnished the history of these crown lands; and he was the more disinclined to leave the management of these matters to his lordship, whom, he saw, was proprietor in a new canal, called the Regent's Canal, about to be cut in this very Mary-le-bone Park. Lord Glenbervie, he observed, by a clause in the Bill, had given himself, as surveyor-general of the land revenues of the crown, a power to contract with lord Glenbervie, as proprietor of the Regent's Canal—[Here the hon. gentleman read the clause empowering the sale of part of the crown lands for the purposes of the Canal.] His lordship had also issued cards to the members of the House, to come down on Tuesday, at three o'clock, to support the Bill, and to assure all those who chose to join him of 11 per cent. for their money. Indeed so busy did he appear to be with his canal, he had not had time to make his report. On these grounds he wished for further enquiry, before he voted the money now asked for. He also objected to the scite chosen for the barracks at Liverpool, and contended that the other side of the town was more eligible.

Sir *Mark Wood* supported the original Resolution, and had no hope of any time coming more fit than the present, for executing works, in his opinion, absolutely indispensable. He contended for the necessity of having barracks near town for the guards, who could not remain in the stables they possessed any longer, and were liable to all the evils and inconveniences attendant on being billeted in public-houses, two or three miles from their horses. He also maintained, that the expence incurred would not be more than the men now cost in various other

ways, with inn-keepers' allowances, &c. Barracks also separated them from the contagion of vice, so injurious to discipline in populous sea-ports, such as Liverpool and Bristol.

Mr. *Wynn* concurred generally with Mr. *Banks*, as to the unfitness of the time, and the barracks not being now absolutely necessary. His great objection was to the enormous expenditure, and he apprehended no danger to the horse guards, from their remaining in the same situation in which they had been for the last century.

Mr. *Bastard* said, the barracks built 50 years ago were more comfortable for the men, more convenient for discipline, and more durable than those built of late years at greater expence. Till the cause of this was enquired into, he wished the present vote to be postponed.

Sir *F. Burdett* said, that he felt it less necessary to address the House, from the conviction he entertained of the truth of the assertion of the Secretary of the Treasury, that he should be able to persuade the majority of the House that the vote ought to be acceded to. On this subject, however, involving a question of the highest constitutional importance, he could not consent to give a silent vote. On former occasions, in addressing the House upon this subject, he had been accused of disaffection, because he had asserted, that the government was attempting to make use of that army which was paid by the people for the subjugation of the people.—The truth of this statement the vote now proposed made evident, and some of its supporters even went so far as to urge the necessity of concurring in it, lest the soldiers should be intercepted by the populace whom they were to subdue, on the way to their horses. [Hear! hear! from ministers.] He had no doubt his remarks were not very welcome to the other side of the House, whose business it was, with inconsistent prodigality, to throw away the public money with one hand, while they were grinding the nation with taxation with the other. At a time when discontents convulsed the country—when ministers felt their weakness, and required support other than that of the people, that was indeed the fit period for establishing a military system for their protection, by the erection of barracks to keep down the national spirit in all the populous districts. Much was said of the hateful tyranny of Buonaparté, but was

not the mode now pursued not only following his steps, but even outrunning him in the formation of a military despotism, to govern the people, not by law, but by the sword? Were not the soldiers on the slightest occasions called in to keep down the people? Did they not commit murders upon the people? [Order! order! order!] This was indeed a new, and an auspicious æra [Order!] Gentlemen might make what exclamations they pleased, but they should not drown his voice, which was only uttering the truth.

General *Manners* spoke to order. He said that to assert that what the hon. baronet was stating was the truth, was casting an undeserved slur upon the army.

Sir *F. Burdett* denied that he was making any accusation against those who were compelled to act under the orders of their superiors. It was the administration of the country that he charged with employing the army to commit murders.

General *Manners* desired that the hon. baronet's words might be taken down.

Sir *F. Burdett* said, that he had no objection to any of his words being taken down; but as the hon. general had called him to order without attempting to shew how he was out of order, and expressed a wish that his words should be taken down without moving for it regularly, he thought that it was rather the words of the hon. general which ought to be taken down. He would maintain that the act which was relied on, called the Riot Act, did not say any thing about soldiers, or authorise the magistrates to employ them as they had done, or give up a starving population to military execution. When he heard the Secretary to the Treasury argue, that it was a vicious system to keep the soldiers out of barracks, or to allow any free intercourse between them and the people, he could not but observe how totally the constitutional opinions of our ancestors had been departed from in the present times. Such doctrines would have filled our forefathers with horror and affright, and against such sentiments he must ever protest. Was it in this new era that the Prince Regent was to be told by his ministers, that the foundations of the British throne ought not to rest in the affections of the people, but on an army? At former periods of our history, and in the most successful reigns, such had not been the policy of the country. When Queen Elizabeth was asked by the Spanish minister, where were her

guards, she pointed to the people in the streets, and said, "These are my guards, and by their affections I am best protected." The ministers, however, now might think proper to tell the Prince Regent that he was safe only when surrounded with soldiers. It would be found however, by referring to history, that those sovereigns were more secure, and more beloved who relied on their people, than those who relied on armies. Who brought Charles 1 to the block? It was an army, and an army levied by parliament, but which afterwards turned out the same parliament. Who restored Charles 2?—An army—a small part of Cromwell's army. Nevertheless Charles 2 wished to rely upon them, but a wiser man than he (lord Clarendon) dissuaded him from it. James 2 wished also to rely on a regular army, but they deserted him in his distress. He would maintain that as the law now stood, the magistrates were not justified in letting the soldiery loose upon the people, and giving them up to military execution. The Riot Act allowed the constitutional officers, sheriffs, constables, &c. to interfere, and justified those constitutional officers in using force, if the populace would not disperse in a certain time after reading the act. The Riot Act did not prescribe that the soldiery should be ordered to fire upon unarmed multitudes, in order to disperse them. He conceived that the expence of these barracks would be a great objection in the present times, but it was on the unconstitutional tendency of the measure that he rested his principal objection to it.

The *Chancellor of the Exchequer* was firmly convinced, that however the question might be disposed of, or whatever might be thought of the details of it, there would be very few persons found either in the House or in the country to follow the hon. baronet in his argument, or to concur in a single sentiment which the hon. baronet had uttered. He believed that the hon. baronet was extremely mistaken, if he supposed that the speech which he had just delivered was likely to make any great impression out of the House, or that he would be considered as acting under a sound discretion, when at this period above all others—when his mind could not fail to be impressed with the disgraceful scenes that every day occurred in a particular part of the kingdom, the hon. baronet held out to the people that those measures, the employment of which cruel necessity compelled, were re-

sorted to for the purpose of crushing the liberties of the subject, and that this was a government not of the law, but of the sword. He believed that it would be almost universally felt, that the steps which government, or which the magistrates thought proper to pursue, were not for the purpose of crushing the liberties of the country, nor to make war with the people, and subdue them; but for the purpose of protecting the valuable lives and the valuable properties of his Majesty's subjects from rioters and incendiaries. These were the people whom the hon. baronet appeared now to have taken under his protection; and this mob of rioters and incendiaries were called by him, the people; and government was charged with making war upon the liberties of the people, because they would not allow a turbulent populace to destroy all the valuable accumulations of wealth, property and ingenuity in the realm. To preserve the peace of the districts so disturbed, government had been obliged to draw troops from different parts of the kingdom; and this was what the hon. baronet called making war upon the people and subverting their liberties. He (the Chancellor of the Exchequer) could, without much difficulty, attribute the speech which the House had just heard to its true origin. The hon. baronet had no doubt strongly in his recollection the steps which government had been obliged to take to repel the tumultuary aid which had been offered to him in resisting the laws of the country. He might now confidently say, resisting the laws of the country; for the law had since been recognised and settled in the most formal manner in the tribunal, to which the hon. baronet chose to appeal,—a Trial by Jury. The hon. baronet doubtlessly meant that the constitution had been violated, and the liberties infringed some few months since, when government was compelled to send a military force to quell the multitude raised by him. Now he understood why the hon. baronet disliked the life-guards, and their barracks. It arose from some awkward impression that yet remained of an unsuccessful attempt to defy and defeat the law.—There was nothing which ministers could do, that would go more immediately to destroying the constitution and the liberties of the country, than by permitting such tumultuary proceedings to go unchecked. He trusted, however, that the good sense of the public would perceive, that there was

nothing in these statements of the hon. baronet, but mere declamatory nonsense; or, if there could be collected any sense from them, it would be only such as was calculated to do infinite mischief in the present agitated and disturbed state of many districts. He should pass over those topics without any further observation, and take it for granted, that no man could find out more danger to the constitution from the regiment of horse guards having barracks in Mary-le-bone park, than if they continued in King-street; or in a detachment of the ordnance being stationed in the above park, instead of the whole park being at Woolwich. The right hon. gentleman then defended the estimate in detail, and conceived that he had given proper advice to the Prince Regent, when he advised his Royal Highness to surrender the 510 acres of ground which formed this new park, to the health and comforts of the inhabitants of this great metropolis, instead of making the greatest rent of it by covering it with buildings. As a barrack was wanted, he thought it much the most eligible plan to build it upon this land belonging to the crown. As to the expence formerly incurred in barrack estimates, it had nothing to do with the present question, as the contract was open to fair competition, and it was allowed that the expenditure was now watched over with the greatest vigilance.

Mr. Huskisson condemned, in very strong and pointed language, the speech delivered by the hon. baronet, which he had heard with pain, though not with astonishment, recollecting the rooted aversion which the hon. baronet must naturally entertain to the life guards, who had restored order at a time when the hon. baronet was the first to set the laws at defiance. He maintained that the military, whenever they were called on to suppress disturbances, behaved with a moderation that was highly admirable, and which even the deluded wretches whom they quelled were the first to acknowledge. The hon. baronet had made allusions to the history of former periods, which by no means bore him out in his argument. In particular he had adverted for an instance of the reliance which a sovereign might place on his subjects to the reign of Elizabeth, who was known to be one of the greatest tyrants that ever existed.—Still, it was with sorrow he said it, he was compelled to concur with the hon. baronet in the vote he should give. He contended that the erection of

the barracks, in all the situations required, was inexpedient, and in some instances unnecessary. The estimate for them was also extremely excessive, the usual rate being only about 120*l.* for every man and horse of the cavalry, and only about 60*l.* for every man of the infantry. The frontage of the barracks in Mary-le-bone was nearly one-third of a mile, and the wall to inclose it not less than a mile in circumference.—Thinking that the postponement could not be injurious in any point of view, he should support the amendment.

Mr. *Barham* said, that although he came down to the House to vote for the amendment, he had been induced to change his resolution by the address of the hon. baronet, and certainly the Chancellor of the Exchequer had in his comments been a little ungrateful, since no speech that had been delivered could have more benefited him.—He was an enemy to barracks, but if any thing could convince him to think them necessary, it would be the prevalence of such doctrines as he had heard with disgust that night; and he trusted he should not often see persons in this country appeal from the laws to the mob.

The House then divided—

In favour of the Amendment... 112

Against it..... 134

Majority.....—22

The original Resolution was then carried.

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Mr. *Ponsonby* observed, that the right hon. the Chancellor of the Exchequer had declared to the House that he should, in the course of this week, be able to lay upon the table some information respecting the renewal of the Charter of the East India Company. This was the last day of the week, and as he had not yet fulfilled his pledge, he was desirous of knowing whether it was the right hon. gentleman's intention to persevere in bringing the matter forward during the present session?

The *Chancellor of the Exchequer* answered that since he had last addressed the House upon the subject, some difference of opinion had arisen between the directors of the East India Company and government, which rendered it much more unlikely, that the matter would be brought under discussion this session, than he had had reason to believe would have been the case. A court of proprietors was to be held that day, respecting the differences to which

he alluded, the decision of which he should be able to lay before the House by Monday. He was led to apprehend, however, from some conversations he had held with gentlemen interested in the matter, that the question respecting the renewal of the Charter of the East India Company, could not be brought to a successful issue during the present session.

HOUSE OF COMMONS.

Monday, May 4.

PETITIONS FROM SCARBOROUGH—AND ABERDEEN, RESPECTING COMMERCIAL LICENCES.] A Petition of the owners of ships belonging to the port of Scarborough in the county of York, was presented and read; setting forth,

“That the ships of the petitioners were formerly chiefly engaged in the coal and Baltic trades, but since the ports of the Baltic have been shut, their principal resource has been and now is in the coal trade, and in bringing timber from the British colonies in North America; and that the petitioners are deeply impressed with a sense of the magnitude and extent of the evils arising from the present system of granting licences to foreign vessels to import timber, deals, staves, and other kinds of wood into this country, to the manifest disadvantage of the British shipping interest, such importations not only interfering most fatally with our trade to the British American colonies, but being also highly injurious to the colonists themselves; and that the House is well aware of the confined trade and depressed state of the shipping interest, from the present unfortunate situation of Europe; but the encouragement given to foreign vessels, and even to those belonging to our enemies, by granting them licences to import wood into this country, has not only increased the depression, but is likely to annihilate the shipping trade to British North America; and if the present system of granting licences is continued, the petitioners are apprehensive it will become ruinous to them, and to the shipping interest at large; and that the petitioners have, with deep regret, foreseen for some time the baneful effect the granting of licences so extensively would produce upon the wise and venerable maritime laws of this country, upon the faith of which they embarked their capitals, in hopes of acquiring a maintenance by their honest exertions in their profession; and

they cannot behold with indifference the encouragement given to foreigners, by aid of British licences, to supply the place of British capital and British industry: besides the evil tendency of the licence system striking at the very root of our navigation laws, the petitioners most deeply deplore that it is the occasion of such systematic falshood, perjury, and depravity, as is highly reprehensible in a moral point of view, and may eventually prove the ruin of the general mercantile interests of the world; and that the petitioners beg leave to state, that the English merchants and ship-owners have made every effort in their power to support themselves in a trading competition with those licensed foreigners, by importing timber, deals, &c. from our colonies in America, but the foreigners, being fully employed in the Baltic and Norway trades, have shorter voyages to perform, and being navigated at a less expence than British ships, have such a decided advantage, that neither the English merchant or ship owner can contend against such unfavourable and unnatural circumstances; and that the petitioners most humbly submit to the House, that if necessity renders it indispensable that any part of the licence system should be tolerated, it ought to be confined exclusively to articles of the first necessity, and, in their humble opinion, should not be extended to such commodities as may be procured from our own possessions, or even from any foreign port to which British ships can safely navigate; and that the petitioners view with amazement and concern the extensive and flourishing trade of the northern powers to this kingdom, by the indulgence of licences; in almost every British port, the petitioners see the Danes, Swedes, Russians, and other northern states, display their flags in commercial prosperity, while the commercial flag of Great Britain is never shown in their ports, except, indeed, when it is seen underneath the flag of a belligerent, to denote the triumph of capturing a British vessel: the rapid improvement in the appearance and skill of foreign seamen since the granting of those licences, is evident to the petitioners, and to all persons who are acquainted with nautical affairs; a hardy and able race of mariners is thus reared, and, whilst our enemies are putting forth all their strength, Great Britain, by the continuance of the system of which the petitioners complain, is vir-

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tually suspending that power which has hitherto contributed so essentially to her superiority as a nation; and that the petitioners further beg leave to state, that, as they are well aware of the difficult and critical circumstances of the times, and would most willingly submit to any privation for the general good of the British empire, yet they must, at the same time, most humbly request, that the House will be pleased carefully to investigate the great deviations which have lately been made upon the maritime laws of this kingdom, upon the foundation of which the stupendous fabric of our wealth and power has been erected, and upon which, in a great measure, the preservation of the British empire depends; and that the petitioners humbly presume that these valuable laws should not be departed from, particularly at a time when our inveterate and strong confederate enemies seem bent upon their destruction; and, therefore, most earnestly praying the House will be pleased to appoint a committee to take into consideration the infringement of the British navigation laws, and particularly to investigate into the necessity of granting licences to foreign vessels to import all sorts of wood into this country."

A Petition of several merchants and ship owners of the port of Aberdeen, was also presented and read; setting forth,

"That the ships belonging to the port of Aberdeen were heretofore mostly engaged in the coal coasting and foreign trades, but since they have been shut out from the ports of the Baltic, their chief employment has been in bringing timber from the British colonies in North America; and that the present unfortunate state of the continent of Europe has tended, in a high degree, to confine the trade, and depress the shipping interest of this kingdom; and the encouragement which has been given to foreign vessels, by granting them licences to import timber, deals, staves, and other kinds of wood into this country, has greatly increased the evil, and will, if persisted in, be attended with the most ruinous consequences to the British ship owners; and that the petitioners are fully sensible of the critical situation of the times, and are most willing to submit to any privations to which they may be exposed, by such regulations as are calculated for the general good; while, however, they entertain these sentiments, and are ready to admit the expediency of the

licence system, in regard to some articles which it may be difficult otherwise to obtain, they humbly conceive that it ought not by any means to be extended to timber or any other commodities which can be easily procured from our own possessions or from other ports which are open to the British flag; and praying the House to take the premises into serious consideration, and in particular enquire into the necessity or propriety of granting licences to import timber into this country in foreign vessels, and thereafter adopt such regulations on this important subject as may seem best calculated to afford protection and relief to the shipping interest of the United Kingdom, and at the same time be consistent with the general welfare."

Ordered to lie upon the table.

PETITIONS FROM WILTSHIRE AND ABERDEEN RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the woollen manufacturers of the county of Wilts, whose names are thereunto subscribed, was presented and read; setting forth,

"That the petitioners beg leave to represent to the House, that, by various charters granted successively to the East India Company, and by the restrictions imposed on the merchants of this country from trading with the extensive possessions of the Company in India, as well as with the whole of the islands and territories in Asia and Africa eastward from the Cape of Good Hope, the petitioners conceive that they have, for a series of years, been prevented in a very great degree from supplying an immense population with woollen manufactures; and that, by the removal of such restrictions, the petitioners firmly believe they would annually obtain from our merchants orders infinitely beyond those which are now received from the East India Company; and that, as the petitioners are cut off in some measure at present from supplying the continent of Europe, they apprehend a free trade to India would furnish them with an indemnity for this loss; and that, reposing entire confidence in the wisdom and justice of the House, the petitioners humbly entreat they will be pleased to adopt such measures as may secure to the merchants of the United Kingdom the advantages of a free trade eastward beyond the Cape of Good Hope."

A Petition of several merchants, manu-

facturers, ship owners and other inhabitants of the city of Aberdeen, was also presented and read; setting forth,

"That the petitioners most humbly conceive, that they, in common with the rest of their fellow subjects, are justly entitled to participate in whatever trade or intercourse may be carried on with any part of the British empire, subject always to such restrictions as a due regard to the revenue of the country, and our political relations with foreign states, may render necessary; and that, impressed with these sentiments, and convinced as they are that the opening up of the trade with the countries situate to the eastward of the Cape of Good Hope would be attended with the most beneficial consequences to the commercial manufacturing and shipping interests of the kingdom, they humbly beg leave to express an opinion, that, if parliament shall, in its wisdom, see proper to grant an extension of the trade with those countries at the expiry of the present charter of the East India Company, such extension should not be confined to the port of London, but embrace every principal port in the kingdom; and praying, that the House will be pleased to take the premises into serious consideration, and in case it shall appear expedient to them to extend the privileges of the trade with India, to allow the port of Aberdeen, in common with others throughout the kingdom, to participate in such extension, under such regulations as to the House shall seem meet."

Ordered to lie upon the table.

PETITION FROM THE WEAVERS, &c. OF CHORLEY AGAINST SINECURE PLACES, &c.] Mr. Brougham presented a Petition from the weavers and other working manufacturers of the town of Chorley and the neighbourhood thereof, setting forth,

"That the petitioners have been, for a long time, labouring under a state of the utmost distress, as the House will easily conceive, on being informed, that whereas the price of the necessaries of life has been nearly doubled since the commencement of hostilities with France in 1793, the wages of the petitioners are reduced two thirds; and that, in these afflicting circumstances, the feelings of the petitioners are greatly aggravated by their knowledge, that, whilst their utmost exertions in labour cannot save them from starving, vast sums of the public money are bestowed upon individuals, as the salaries of sine-

cure places, that is to say, of places, the holders of which receive wages without performing any work for the same; and that, in proof of their assertion, that vast sums of money are thus bestowed, selecting a few instances out of a great variety of the same nature, they beg leave to remind the House, that the right honourable George Rose holds the sinecure office of clerk of the parliament, with a salary of 3,278*l.* per annum; that the right hon. George lord Arden holds the sinecure offices of register of the high court of admiralty and of register of the high court of appeal for prizes, for which he receives, clear of deductions, 12,554*l.* per annum; and that the earl Camden, and the marquis of Buckingham, hold the sinecure offices of tellers of the exchequer, for which offices they receive, the latter 23,093*l.* the former 23,117*l.* per annum; and that the petitioners have, from time to time, been informed of large sums of money being paid out of the public purse to distressed foreigners, on which head, passing by the sums paid as subsidies to the Portuguese and Sicilian courts, to the duke and duchess of Brunswick, and divers other German refugees, they beg leave to call to the recollection of the House the sums paid to the exiled catholic clergy and laity of France, which amounted, in the year 1794, to 99,548*l.* 7*s.* 6*d.*; 1795, to 135,890*l.*; 1796, to 199,890*l.*; 1797, to 177,480*l.* 9*s.* 7*d.*; 1798, to 161,333*l.* 7*s.*; 1799, to 187,886*l.* 10*s.* 11*d.*; 1800, to 195,713*l.* 5*s.* 1*d.*; 1801, to 180,772*l.*; and that, though the petitioners presume to be of opinion that, in the season of their distress, they have as strong a claim upon the public purse of the nation as any foreigners whatsoever; and though they are apprized that the precedent of the special distribution in the year 1801 of 24,226*l.* to the parishes where the weaving of silk is carried on in London, would justify them in applying to the House for direct pecuniary relief, they deem it more becoming them as Englishmen, to declare to the House, that they would far prefer, to the receipt of any extraordinary assistance, a dependence upon their own unimpeded industry; and that they therefore do respectfully, but earnestly, call upon the members of the House well to consider the premises, and by the powers by the constitution vested in the House, to check and restrain the extravagant expenditure of the public money, which, by occasioning the imposition of enormous taxes, in-

creases the price of the necessaries of life, and to compel his Majesty's ministers to adopt a line of policy which, by conciliating neutral nations, may affect the revival of trade, which alone, by renewing the strength of the nation, can, under the Divine Providence, finally secure to it the blessing of an honourable and lasting peace.

Ordered to be referred to the Committee on the Petitions against the Orders in Council.

FRENCH SILKS, &c. IMPORTED FROM FRANCE.] Lord *Cochrane* gave notice of a motion for Monday, for an account of the quantity of French silks, laces, cambrics, &c. imported into this country under Licences, within the last two months, with the amounts of each to the latest period.

Mr. *Rose* said there could be no objection to the motion.

Lord *Cochrane* said, then, if agreeable to the House, he should make his motion now. It was a fact that French silks, shawls, laces, &c. were to be seen on sale in this country at the present moment, in quantities, to the great prejudice of our own manufactures. It had always been esteemed a wise policy in this country, to prevent the importation of French manufactured goods; and even to give to other foreign goods an advantage over them. He understood, however, that there were, at this moment, to the amount of several hundred thousand pounds of French manufactured goods in the river; and the only clause in the licences, under which those goods were suffered to be imported, which went to secure any reciprocity whatever to this country, was one requiring that sugars or coffee, to the value of 5*l.* per ton burden, should be exported in lieu of those rich manufactured goods. If this was the policy of our ministers at the present period of unexampled distress to our manufacturing interests, his lordship was not surprised, that the manufacturers were in a state of great dissatisfaction. If such measures were resorted to, for the purpose of the better recruiting our armies in Portugal, he hoped they would fail in producing that effect. He concluded by reading his motion.

Mr. *Rose* said, that as the paper would be shortly before the House, the production of it would afford the best contradiction to the statement of the noble lord. There was one part, however, which he could not even

now suffer to go uncontradicted, and that was the idea of French manufactured silks being permitted to be imported into this country. Such an idea going abroad might produce great discontent, and therefore he could not agree that the motion should extend to silk goods, which were actually prohibited.

Lord *Cochrane* contended, that he himself did actually see French silk goods for sale within these two days. If no silk goods however had really been imported, the return would most effectually shew this.

Mr. *Rose* asked, would the noble lord take upon him to say, that he had seen French silks in the river within these two days?

Lord *Cochrane* said he had seen them for sale, and was informed they had been lately imported.

Mr. *Rose* said no Custom-house officer dared suffer any such article to be imported.

Sir *F. Burdett* submitted, that with the information his noble friend had received, he had done nothing more than his duty in bringing the matter before the House; and he hoped the House would not be satisfied unless the word silks formed part of the motion. The return too, if it shewed that no silks had actually been imported, would most effectually calm any dissatisfaction or fermentation that might prevail.

Mr. *Rose* thought it hardly worth while to oppose the motion as it stood, as the return would give the best answer to this charge.

Lord *Cochrane* did not pretend to say that the silks of which he spoke had been entered at the Custom-house; but he had been informed, that they had formed part of a cargo of the value of 9,000*l.* which had been imported into this country.

Sir *J. Newport* moved to add to the motion the words, "Whether for exportation or for home consumption," when

The motion so amended was agreed to.

The House then resolved itself into a Committee on the Petitions against the Orders in Council.

SINECURE OFFICES BILL.] On the order of the day for taking into consideration the Report of the *Sinecure Offices Bill*,

Mr. *W. Dundas* argued against the principle of the Bill. His chief ground of objection was, however, that it violated the articles of Union with Scotland. The

Bill pretended only to regulate *Sinecure Offices*, but he contended, that as far as Scotland was concerned, it went altogether to abolition. In a question of this kind, it ought, in his opinion, never be forgotten that the rights of two countries were to be considered; and though the making of distinction might be invidious, yet he never could suffer the rights of his country to be violated without opposition; he never could suffer the rights of the Scottish people, the remnants of their ancient monarchy, the memorial of their pride as an independent nation, to be done away, without making all those efforts which his private duty as well as his love of country dictated. The people of Scotland had stipulated at the Union, that their chief offices of state should be preserved. This was to them a sort of remuneration, and not merely an act of grace or favour; and he should like to know on what ground it was, that the very first offices in Scotland were, in defiance of solemn treaty and plighted national faith, to be now abolished? Was this preserving that honourable feeling in the contemplation of which the Union with Scotland was formed; or was it not rather, for a paltry consideration, a dereliction of that honourable feeling? When Mr. *Burke* made his attempt at the reformation of offices, did such a departure from good faith ever enter into his head? Did he not in fact know human nature too well ever to have ventured on a breach of faith with a people who were too much alive to feelings of that description to have suffered such an insult and such an injury with tame insensibility? The right hon. gentleman then protested, that he had no quarrel with the mover or supporters of this Bill; that he opposed it totally on high national ground. That he respected the rights of England, but that he never would desert the rights of Scotland; and that if this Bill were to pass, he should feel it his duty to say that it was an unnecessary infringement on the character, faith, and honour of a nation.

The *Lord Advocate* of Scotland followed on the same side. He was quite aware that gentlemen by no means conceived to what evil results this Bill might lead. At the time of the Union with Scotland it was stipulated, that the municipal law and its regulations should be preserved entire. This was done as much for the sake of supporting private right as for any public consideration; it was done, in fact, for the safety of the landed proprietors. Scot-

land was united to England in their public seal, but in matters of private right it was reserved that Scotland should have a keeper of the great seal. This office was therefore a memorial of the ancient Scottish monarchy,—it was a lasting symbol of that independent kingdom: and, he conceived, that, without the greatest outrage to the feelings of a great portion of the British empire, it could not be destroyed. In this instance he stood up for his country, not as asking a favour from England, but as demanding the preservation of a right. In fact, Scotland was asking nothing from England but the mere keeping of a covenant; and he was confident that the House would never consent to depart from stipulations which were solemn in their origin and rendered sacred by time. The hon. and learned gentleman then argued on the enactments of the Bill, which entrusted to deputies what it took from the principals. The offices were destroyed or sunk into inferior situations, which no persons but those of inferior rank would ever think of filling. All responsibility was therefore at an end, because it could not be expected that deputies calculated for situations of a few hundreds a year could be sufficiently responsible to the land proprietors of Scotland. Were the landed rights of Scotland to be thus trifled away? In fact, when deputies would be converted into principals as holders of the offices of Scotland, he wished to know what, except the honesty of the deputies, could the landed proprietors of Scotland depend upon? And as to their honesty, he was afraid that it would require all the pure virtue and all the immaculate character of the chairman of the committee of finance, to withstand the temptations which they would continually meet.—He then went into the details of the Bill. It abolished, in the first place, the office of the keeper of the great seal of Scotland. (No, from Mr. Banks.) The hon. gentleman said no, but he said yes. He should not mind the interruptions of the hon. gentleman, but he would look to the Bill itself. The Bill abolished the emolument of this great office. (Hear, hear, from Mr. Banks and the opposition.) Well! what remained of the office after the emolument? The emolument was what induced responsible persons to take it; and it was the want of responsibility which he attributed to the enactments of the present Bill. The Bill, to be sure, only said that it regulated this office, but

it in truth abolished it. It gave up a place of high trust and public care to obscure and inferior individuals, who should act as deputies; and by it, therefore, the property of Scotland was put into unsafe hands. He then contended, that as far as the Bill regarded Scotland it enacted contradictions. It commanded one to be doing particular acts in distinct places at the same time; and even on this ground the absurdity of the Bill was too evident to be borne with. In fine, the Bill, if it should pass into a law, would, in his opinion, cause the greatest confusion in Scotland: it would strike the whole people with immeasurable astonishment. The House had lately heard of Ireland coming in person to their bar—of Ireland appearing there with her imperial crown, demanding the concession of what were called rights, but what he might conceive as privileges, which, if granted, would endanger the safety of the state. The House had lately been threatened with this pompous appearance; but he did not appear in his place as the advocates for Ireland did. He asked no privileges,—he prayed for no favour; but he demanded the fulfilment of a contract, the preservation of rights which were never considered injurious to any mortal, which were the legacy given to her children by an ancient kingdom, and which were now sanctioned by an Union of one hundred years.

Mr. *Lyttelton* observed, that notwithstanding the high authorities of Junius and Wilkes, he had always thought the assertion a calumny, that the Scottish nation was attached with peculiar fervour to any thing in the shape of pecuniary emolument; the speech just delivered had induced him to waver in his opinion, and perhaps his countrymen might thank the right hon. and learned gentleman for a confirmation of the truth of the statement. He (Mr. L.) could not give the Scotch credit for that zealous attachment to monarchy which had been so much boasted; nor would he dwell upon the subject, lest the headless ghosts of a Charles and a Montrose should be conjured up in the imaginations of the members for North Britain. He had passed a considerable portion of his life in Scotland, and he would not, as their countryman to-night had done, be so unjust as to assert, that he had noticed any peculiar affection for the majesty of inefficiency, or the dignity of idleness. With regard to the immediate question, he was fully convinced that the

true reason why the influence of the aristocracy of Scotland was so debased, was because these places, now the subject of contention, had been continued. It had been said, that persons of high rank and distinguished talents should fill sinecure offices, as the reward of meritorious services. He thought that this argument came with a very bad grace from those who had advised the recent appointment of colonel M'Mahon. In his opinion, if there ever was a time when it was fit that this power of augmenting influence should be wrested from the hands of the crown, it was the present. When it was known that there prevailed in the court a base system of unprincipled favouritism—[hear! hear! from the Chancellor of the Exchequer.] What! did the right hon. gentleman, of all others, express his dissent? With all other men it had ceased to be a matter of doubt.—It was notorious that the Regent was surrounded with favourites, and, as it were, hemmed in with minions. If there was among them a man of note or talent, there certainly was not one of any character—nor had a single individual selected the slightest claim to a farthing of the public money.—He would not now notice the merits of colonel M'Mahon, because a fit opportunity would soon be afforded for doing so, but thus much he would assert, that the public who paid him, knew nothing of any services he had performed. He thought that any minister who dared to recommend such an appointment, possessed a degree of fortitude and boldness, that scarcely fell to the share of any other individual in the kingdom. He was not one of those who would be parsimonious of public money, where it was claimed by merit, but he would rather give hundreds of thousands to a Nelson or a Wellington, than a single farthing to a Gaveston or a Despencer.

Mr. *Courtenay* felt great difficulty in opposing a measure purporting to be a measure of œconomy, and the proposer of which professed himself to be treading in the steps of Mr. Burke and Mr. Pitt. He trusted that he should shew that so far from being an economical measure, it would be one of wanton profuseness, that it would tend to encrease the improper influence of the crown, and that it was, as it stood, a measure quite inconsistent with the principles and practice of Mr. Burke or Mr. Pitt. He begged that it might be remembered that in estimating the eco-

nomny of the new system, the House ought not to compare it with that which had hitherto prevailed, and under which there had been various abuses, but with the present system, amended as it was proposed to be by his right hon. friend, (the Chancellor of the Exchequer), by which amendment a number of sinecures would be abolished and others regulated, without any such substitution as was proposed by the hon. mover, so that whereas the saving that would accrue from this Bill would be contingent and precarious, whatever saving there would arise from the propositions of the Chancellor of the Exchequer would be positive and certain.

But the present Bill was liable to objection in its entire formation; the offices to be abolished ought to have been divided into five or six classes, upon each of which different principles should operate, as well with respect to the mode of abolishing as the propriety of the abolition. In the first place, there were the offices upon the civil list, the existence of which was recognized when the amount of the civil list was fixed, and when the pensions were limited; and some even upon the hereditary revenue of the crown; it was against all parliamentary practice, and against that of Mr. Burke in 1782, and against the whole tenour of Mr. Pitt's conduct, without a single exception, to interfere with these offices without the consent of the crown previously signified; and this principle had during the present parliament been carried so far, that the Speaker had on one occasion declined putting the question upon a motion affecting the King's hereditary revenue.

To the next class the principle of abolition ought certainly to be applied. When that House had granted certain revenues to the crown, for public purposes, giving the crown the power of defraying out of those revenues the charges attending their collection, it was a great abuse, and one to which there was scarcely any limit, to make use of that power in the creation of sinecure places. In looking to the enactments of former times upon this part of the subject, he found a circumstance which might be considered as illustrative of his assertion in regard to the hereditary revenues. An act had passed a few years ago, for rectifying a supposed mistake in the Act of 1798, for confirming the abolition of certain places in the customs; the mistake was in the omission of the office of Surveyor of Petty

Customs. Now, Mr. Courtenay had little doubt but that this office was omitted in the act, because those petty customs had been granted by parliament to one of the Edwards and his heirs for ever, and constituted part of the hereditary revenue, to which, upon a demise of the crown, the new king would become entitled.

In like manner, the salaries of offices which were paid out of the annual grants of that House, might be fit subjects for abolition or regulation, but not by Bill. If the House thought any such office useless or overpaid, the constitutional mode of proceeding was to withhold the vote of the salary, as had been recently done in the case of the Paymaster of Widows' Pensions.

With respect to the offices belonging to the courts of justice, he (Mr. C.) felt incompetent to say much; but it appeared to him that the consideration involved a variety of details, which were by no means sufficiently provided for by the Bill. And the same observation applied to the offices in the colonies, in touching which, the House might perhaps be legislating for the colonies in a way that might be productive of evil consequences. Much depended upon the nature of the emoluments and the purposes to which they were applied. As far as making effectual the Act of 1782, relative to patent places in the colonies, which had been notoriously evaded, there could be no objection to the Bill.

There were very many other objections to the detail, but he objected to the whole principle upon which the pensions, which were to be substituted for the sinecures, were grounded. Under the Bill, pensions would be given to those who ought not to have them; and withholden from those upon whom they ought to be conferred. At present, sinecures were often given to persons who held high and efficient offices, but such as were not sufficiently lucrative; such were the sinecures of lord North, Mr. Pitt, and lord Grenville. The pension under the Bill only attached after a certain number of years service; if, therefore, you deemed the emoluments of these high offices insufficient, and pensions were not to be given except for previous service, you must permanently increase those emoluments, though the offices would frequently be in the hands of persons whose circumstances rendered the increase unnecessary. He contended that the crown ought to have the power of conferring

pensions to a limited amount on the whole, but upon such persons as for any cause it might think proper to select. The hon. mover admitted that the crown ought to have the power of granting rewards, but said that, under this Bill, rewards could only be given to meritorious persons; and what was his test of merit? It was exceedingly difficult to appreciate merit, in persons living, or in persons long dead; but the hon. gentleman professed to have a test for appreciating all future merit,—and this test was Place. It was only necessary for a man to shew, that he had filled such or such an office for the number of years specified in the Bill, he was a meritorious officer, and entitled to his reward!

Rewards were now given to persons who held offices, in which they might be very useful, but which the hon. gentleman had properly enough left out of his Bill, because it would have been a still more extravagant measure than it now stood, if all such offices had entitled the holders to the pension. Here was another proof of the hopelessness of any attempt which, like the famous plan of finance, or other schemes, professed to apply a fixed principle to that which was in its nature fluctuating and uncertain.

But Mr. C. held that the crown ought to have the power of conferring pensions or sinecures even upon persons who had filled no offices at all. There were various kinds of merit, which it was utterly impossible to define. Very useful exertions in that House, such as those of Mr. Burke, ought to be rewarded; and though his pension was the subject of obloquy at the time, few now doubted the propriety of granting it. The hon. mover himself, if not, fortunately for him, placed in affluence, would be a fit subject for a similar mark of approbation.

In fact, the power of granting permanent rewards, tended to diminish rather than to increase the hurtful influence of the crown. (Hear, hear!) To those gentlemen who seemed to receive this with something more than doubt, he would say, that the sentiment was borrowed from Mr. Fox's Speech on the Teller's Bill in 1782. It created independent men, whereas the hon. gentleman's system, making place the only channel through which to obtain reward, created a great inducement to side with the government of the day. It was an encouragement to take office under any circumstances, and discouragement to re-

that the labours of the offices, particularly that of chief justice of the King's Bench, were extremely ill-paid, if it were not that the disposal of those offices, in addition to their other emoluments, made something of a reasonable compensation to them. If the disposal of those offices were taken away from the chief judges, a very considerable addition to their salaries ought to be made.—As to the principle of the Bill, his opinion was still that it was perfectly wrong and mistaken. It went to say, that the crown should not have the power of securing for its service men whom it might judge to be the most capable, if those men happened not to be in a situation to resign all other professions or pursuits in order to enter into the public service. It was only by such places as these, that the crown had now the power of prevailing on men to accept of offices who were not completely independent in their fortunes, and who were obliged to look to their own exertions for the maintenance and provision of their families. It might be supposed that those observations proceeded from a personal bias; but he should not pretend to say, that his public services were of such importance to the country, as to make such a measure necessary. He should, however, suppose a case of the crown being at any future time surrounded by aristocratic combinations, and that to preserve its proper place in the constitution, it should deem it necessary to call to its service some gentleman from the other side of the House. It would be very possible, that the gentleman whom it might so select, and who might be more worthy of such selection, would be found in such a situation as not to be able, in duty to himself or his family, to accept of office unless the crown had something of this sort to bestow, in addition to the salary of the office. In such a case as he had supposed, it would be evident that the existence of such offices would contribute materially to the independence of the crown, and to enabling it to keep its proper rank in the constitution. He knew that there were some who conceived the influence of the crown exorbitant. (Hear, hear!) He supposed that those who cheered the expression so clamorously, were of that opinion; but he should appeal to the opinion of the House in general, whether this influence was too great. He conceived that the progress of information, and the accumulation of wealth, had added, of late years,

much more influence to the aristocratic and democratic part of our constitution—much more weight and influence, than all the existing offices, together with the increased patronage of the army, and the collection of the revenue, gave to the crown. Even the late debates and divisions which had taken place in that House upon col. M'Mahon's appointment, shewed pretty clearly that there was no such preponderating influence as the crown was supposed to have over parliament. There was no man who could say that the proposed measure would be a matter of indifference, as respecting the crown. It would certainly be a considerable diminution of the influence of the crown; and it was for the wisdom of parliament to say, whether it would not be a dangerous diminution of an influence which was by no means too great. It would be hazarding a great blow to the monarchy, to deprive the crown of the means of calling any man to its service who was not completely independent in his fortune. A pension, after a certain number of years' service, would be by no means such an inducement as every man of honour and proper feeling would prefer the means of providing for his family, to any provision which was to be made merely for his own life. No man who could secure a provision for his family by his exertions in private life, would consent to accept of office, unless he had also a prospect held out to him of securing a provision for his family, which one of those sinecure offices might give him.

Mr. *Banks* certainly was apprised a long time ago of the hostility of the right hon. the Chancellor of the Exchequer to the principle of this Bill. He thought, however, that it was somewhat extraordinary, and contrary to parliamentary usage, to let the Bill be read a second time, and pass through the Committee, without any observations; and then to come forward in the present stage, and condemn not only the principle of the Bill, but those details which might have been altered in the Committee. He had not expected to have been hampered with this double difficulty: but, however, he should answer as well as he could the objections which he had now heard. The gentlemen from the North had opened a pretty sharp battery upon him; but they really appeared to him not to be able to perceive the distinction between office and salary, or to think it possible that the salary might be saved,

and the office not abolished. The right hon. gentleman, however, clearly comprehended the distinction; but when he spoke of those offices and their responsibility, he should have recollected that they were rather *quasi* offices with *quasi* responsibility, and neither the duties of such offices, nor the responsibility attached to them, appeared to him at all too great to be confined to such men as would usually be appointed deputies. He knew that his Bill was necessarily defective in many parts; and he could have wished to have had the benefit of the right hon. gentleman's observations on the Committee. As to the Scotch places, which it was recommended to incorporate with other places, he was by no means convinced of the justice of the observations made by the Lord Advocate. He believed that those places which had been stated as checks on each other, had never, within the memory of the oldest man, been known to act in any way as checks. The honourable and learned gentleman had represented this measure as likely to overturn all vested and landed rights in Scotland; but he believed that it would appear to the House, that his description was considerably overcharged. The honourable member proceeded to declare, that he knew of no better mode of paying high and efficient offices in the state than by salaries proportioned to their importance. He had conceived, that as the House had formerly agreed to certain resolutions proposed by him, which laid down the principles that certain sinecure offices should be either abolished or regulated, they were bound to support the present Bill, which was in fact formed upon these resolutions. His right honourable friend had intimated an opinion, that the power of the crown had not increased of late years: but was it possible to look at the immense expenditure of the country, —at our great military and naval establishments,—at the vast patronage thus placed in the hands of the crown—at the increase of our revenue, and of the number of people employed in its collection;—was it possible, he would ask, to look at all these things, without being convinced, that dependence on the crown was extended to all parts of the country, in a degree quite unexampled in former times? (Hear!) It was no light consideration, also, that some of the greatest commercial and corporate bodies in the country were in the habit of looking

up to the ministers of the crown. With regard to its immediate influence in that House, there had been times when such influence had been more openly excited; but could there be a doubt that much of it remained, and continued to be an object of just suspicion to the people? The present measure, if passed, would have the beneficial effect of purifying the future parliaments of the country. He was really surprised to hear the offices which this Bill proposed to abolish, represented as in some measure the outworks and safeguards which were necessary to the protection of the crown. On the contrary, he rather regarded them as a mill-stone appended to the monarchy, in danger of weighing it to the ground; because these sinecures were become low, degraded, and odious in the estimation of the people. (Hear, hear!) The recent vote of the House, by which the sinecure held by col. M'Mahon was abolished, had raised their character in the eyes of the country. There never was a moment when it was more important to preserve and increase that estimation. Let them now shew that the act to which he had alluded was not the mere effervescence of the moment, but that they were prepared to proceed upon principle to the abolition of sinecures equally useless, and equally odious. He was not one of those who would delude the people with the idea, that the abolitions which he recommended would materially diminish the public burthens; but it would not fail to afford them much satisfaction, when they saw parliament determined, that that only should be expended which was necessary for the public service. He had not expected a debate on the second reading of the Report, much less a browbeating one. His Majesty's ministers might think, from the number of members in the House, they would have an advantage over him on a division, as many of the hon. members were not present when the question was regularly debated; but he was not afraid to meet them on a division, for he knew the soundness of his cause. The right hon. gentleman, the Chancellor of the Exchequer, had told them, that the power of the crown had not increased; at the same time, staring him in the face, since the New Era had commenced a new office had been made at a large salary. He had not a doubt if the Bill passed into a law, but it would do away with many of the existing corruptions of parliament. Were Mr. Pitt

and Mr. Burke living, he was persuaded they would give their support to the Bill; which did not go to deprive the crown of the power of rewarding merit, but to prevent the public money from being lavished on useless sinecures. He was always of opinion that the crown should hold its supremacy, but he thought the Bill before them was a safeguard to it, particularly when the public were in disgust with sinecures. It was the duty of the House to preserve the public interest. The House had, by a former vote, given the country an earnest of their independence, and would they then, by their vote that night, do away with the pledge?

Mr. *Courtenay* said, in explanation, that in attributing to the hon. gentleman the adoption of a test of merit, he spoke from a note made at the time. He also said, that he had not objected to the abolition of sinecures, except in certain instances, but that his objections were to the principle upon which the substitution was to be established; and in that respect particularly, he charged upon the hon. mover a departure from the principles of Mr. Pitt.

Mr. *Canning* rose and said, that at that late hour, and in the exhausted state of the House, he should only detain them a few minutes; but he was anxious shortly to explain the grounds on which he should vote for the original question. His right hon. friend (Mr. Perceval), had commenced his speech with arguing against the general principles of the Bill; but he could not resist the temptation of introducing some of its minor and petty details, for the purpose of mixing them with its principles, and obtaining the rejection of both together. This was a species of tactics which was not perhaps very unusual; but it would have been fairer to have made a stand against the principle of this Bill on the second reading; and on the other hand his hon. friend might be perfectly right in his objections to some of the minor details of the measure, while he made no way at all against its principles. The right hon. member (Mr. Canning) then commented on some of the arguments of the learned lord who spoke early in the debate, and ridiculed the importance which he attached to the continuance of certain sinecure offices in Scotland. He next alluded to the recommendation of measures of economy from the throne, at the commencement of the present parliament. The nature of the en-

quiries into the means of diminishing expenditure, then recommended by the crown, could not be mistaken, as the resumption of measures of the same sort as had been carried on in the preceding parliament was particularly specified in the speech from the throne. This, in reality, was a virtual recommendation on the part of the crown of some measure similar to the present, and totally removed the necessity which his right hon. friend supposed to exist, of having a separate recommendation of abolition for each of the 200 offices specified in the Bill. His right hon. friend had contended, that these offices were means in the hands of the crown for remunerating high services, and alluring to its employment the talents of unpatrimonied men. He admitted there was a possibility of a set of persons of rank, birth, and high fortune uniting for the purpose of drawing a circle round the throne, and monopolising all the offices of state. It was equally proper that the crown should have the means of averting such contingencies; but was the system of sinecures better calculated to attain that object than the one now proposed, which was to operate by the power of granting pensions? In this point of view the two systems seemed equal; but in another respect, the one was more eligible than the other, inasmuch as public opinion was hostile to sinecures; they were become odious to the people, while this Bill provided that pensions should be openly given and received as the reward of past services. It was public opinion which caused the difference; and he argued not on the ground of a diminution of the influence of the crown being necessary, but merely on that of a commutation of its form. He agreed with his right hon. friend in thinking, that the influence of the crown had not increased; or, at least, that it was counterbalanced by the increased wealth of the people, and particularly by that increased spirit of intelligence which was so generally diffused, and which necessarily operated as a check on the crown. He concluded by remarking, that though there were some provisions in the Bill from which he dissented, yet he should support it, because he approved of the principle on which it went.

Lord *Castlereagh* opposed the Bill, as tending to deprive the crown of the power of immediately securing to an individual of talent that which, consistently with his duty to his family, he might require to

be secured to him before he would dedicate his time to the public service. It went to deprive the crown of this power, and only left it the means of intimating to such a person, that if in the midst of conflicts with poverty, he could contrive to continue to serve the crown for five years; at the end of that time, he might be rewarded with a pension. He could not think the measure had been correctly described, when it had been represented as merely leading to a commutation of the power of the crown. He thought it unequivocally calculated to effect a great reduction in its power, and to make a retrenchment of its prerogative, inconsistent with the principles of the English monarchy.

The House divided—

For the motion.....134

Against it123

Majority in favour of the Bill...—11

The Bill was then recommitted.

Mr. Wynn proposed to add the office of first commissioner for India affairs to the second class, which was objected to by Mr. Bankes and others, but was carried. He then proposed to include the office of judge advocate general.

Mr. Tierney supported the proposition, contending, that such officers were not usually taken from high practice in the law; and that there was no necessity to tempt persons to take them.

The Attorney General said, that Mr. Bond was eminent in the circuit, and that the present judge advocate had shewn great professional talent, though he had not been in great practice.

Mr. Bankes hoped the hon. and learned gentleman (Mr. Wynn) would not spoil the Bill by such extensions. This office ought to be viewed as a judicial one, and not as political.—It would be, therefore, more for its dignity and utility if it were exparliamentary.

The Chancellor of the Exchequer saw no difference in the matter, whether the holder were in or out of parliament, as it respected the merit of his services.

Mr. Whitbread thought his hon. and learned friend's amendment would overlay the present Bill: the office of first commissioner for India affairs for instance, depended merely on the existence of the East India Company.

Mr. Canning was of opinion, that it would be better that the judge advocate should be an exparliamentary officer.

Mr. Manning concurred in the same sentiment.

Mr. Wynn did not wish to press his amendment.

Mr. Ryder supported it; and the question was put and carried.

Mr. Wynn proposed to include the paymaster general, but after some conversation relinquished that amendment.

Mr. Long proposed the clerkship of the ordnance for the 4th class.

Mr. Bankes had no objection.

Mr. Tierney said, he should move on the third reading, that it should be distinguished whether the service was in peace or war, on the same principle as the secretaryship of the Admiralty.

The amendment was carried.

Mr. Courtenay said that, in the committee he had asked the hon. mover whether he had any objection to allowing that service in an office inferior to the lowest enumerated in the Bill, should in the case of a person promoted from such inferior office to one in either of the four classes, be reckoned in the number of years required; upon the same principle as that which provided, that service in an office in the fourth class, namely, under secretary of state,—should count towards entitling the party to the pension, in any higher class to which he might be promoted. The hon. mover had given an answer, which was understood not only by Mr. C. but by many other persons present, as being in the affirmative, but as no such provision was to be found in the Bill, he should propose it in a future stage.

Colonel Barry objected to what affected the Irish pension list, as violating the agreement with the crown for the present King's life, and moved to omit that passage in the Bill.

Mr. Canning said, that it did not affect the Civil List, but only its distribution.

Colonel Barry's amendment was negatived.

The House having resumed, the Report was received, and the Bill was ordered to be read a third time on Monday.

List of the Majority, who voted in favour of the Sinecure Offices Bill.

Adair, R.
Adams, C.
Astley, sir J.
Babington, T.

Baring, A.
Bankes, H.
Benyon, R.
Biddulph, R. M.

Blachford, B. P.
 Bourne, W. S.
 Bowyer, sir G.
 Brand, hon. T.
 Brougham, H.
 Browne, A.
 Bennet, hon. H.
 Burrell, hon. P. D.
 Burrell, sir C.
 Byng, G.
 Bewicke, C.
 Calcraft, J.
 Calvert, N.
 Campbell, gen. D.
 Canning, rt. hon. G.
 Chaloner, R.
 Coke, E.
 Colbourne, N. W. R.
 Combe, H. C.
 Cotes, J.
 Craig, J.
 Creevey, T.
 Daly, rt. hon. D. B.
 Daniel, R. A.
 Davenport, D.
 Dillon, hon. H. A.
 Drake, T. T.
 Drake, W. T.
 Dugdale, D. S.
 Dundas, C.
 Dundas, hon. L.
 Ellis, C. R.
 Fane, J.
 Fellowes, W. H.
 Fitzgerald, lord H.
 Fitzgerald, Maurice
 Fitzgerald, A.
 Foley, hon. A.
 Foley, T.
 Folkestone, visc.
 Gell, P.
 Giddy, D.
 Giles, D.
 Grenhill, R.
 Gooch, T. S.
 Gower, lord G. L.
 Greenough, G. B.
 Greenfell, P.
 Hamilton, lord A.
 Hamilton, sir H.
 Herbert, hon. W.
 Hibbert, G.
 Howarth, H.
 Hughes, W. L.
 Huskisson, W.
 Jekyll, J.
 Johnstone, G.
 Keck, G. A. L.
 Knight, Robt.
 Lamb, hon. W.
 Langton, W. G.
 Latouche, R.
 Lemon, sir W.
 Lemon, J.
 Lester, B.
 Lloyd, sir E.
 Lockhart, J. T.
 Long, R.
 Longman, G.
 Lowndes, W.
 Lyttleton, hon. W.
 Macdonald, J.
 Manning, W.
 Marryat, J.
 Martin, H.
 Mathew, hon. M.
 Maule, hon. W.
 Mildmay, sir H.
 Mills, W.
 Milton, visc.
 Moore, P.
 Mostyn, sir T.
 Neville, hon. R.
 Newport, sir J.
 North, D.
 Osborne, lord F.
 Ossulston, lord
 Parnell, H.
 Peirse, H.
 Pelham, hon. C.
 Ponsonby, rt. hon. G.
 Ponsonby, hon. G.
 Ponsonby, hon. F.
 Power, R.
 Prittie, hon. F.
 Pym, F.
 Romilly, sir S.
 Saville, A.
 Scudamore, R. P.
 Sebright, sir J.
 Sharpe, R.
 Shaw, sir J.
 Shaw, R.
 Smith, G.
 Smith, J.
 Smith, A.
 Smith, Wm.
 Speirs, A.
 Stewart, J.
 Sumner, G. H.
 Talbot, R. W.
 Tarleton, B.
 Taylor, W.
 Taylor, M. A.
 Taylor, C. W.
 Thompson, T.
 Thornton, H.
 Tierney, rt. hon. G.
 Tracey, C. H.
 Tremayne, J. H.
 Vansittart, rt. h. N.
 Vernon, G. G. V.
 Wharton, J.
 Whitbread, S.
 Wilberforce, W.
 Williams, O.
 Williams, sir R.
 Winnington, sir T.
 Wrottesley, H.
 Wynn, C. W. W.

List of the Minority who voted against the Sinecure Offices Bill.

Anstruther, sir J.
 Apsley, lord
 Attersoll, W.
 Arbuthnot, rt. hon. C.
 Bagwell, W.
 Baillie, G.
 Bathurst, rt. hon. C.
 Barne, S.
 Barry, J.
 Beresford, lord G.
 Bishopp, C.
 Bootle, E. W.
 Bradshaw, hon. A. C.
 Brodrick, hon. W.
 Brooke, lord
 Buller, sir E.
 Bruce, T.
 Burghersh, lord
 Calvert, J.
 Campbell, gen. A.
 Campbell, A.
 Castlereagh, visc.
 Clive, W.
 Clive, H.
 Clonmell, earl of
 Cochrane, hon. G.
 Coke, D. P.
 Courtenay, T. P.
 Cripps, Jos.
 Colquhoun, A.
 Croker, J. W.
 Davis, R. H.
 Deedes, W.
 Drummond, G. H.
 Duckett, G.
 Drummond, J.
 Duigenan, Dr. Pat.
 Dundas, rt. hon. W.
 Dufferin, lord
 Eliot, hon. W.
 Ellice, W.
 Farmer, S.
 Farquhar, J.
 Ferguson, J.
 Fitzhugh, W.
 Foulkes, E.
 French, A.
 Gibbs, sir V.
 Gordon, J.
 Graham, T.
 Graham, S.
 Gunning, —
 Goulbourn, H.
 Hamilton, Hans
 Hamilton, sir C.
 Harvey, E.
 Hill, sir G. F.
 Holford, G. P.
 Holmes, W.
 Houlton, J. A.
 Houston, A.
 Hume, sir A.
 Hume, J.
 Irving, J.
 Jones, G.
 Kenrick, W.
 Kingston, J.
 Leycester, H.
 Lockhart, sir A.
 Loftus, gen.
 Loft, gen.
 Long, rt. hon. C.
 Longfield, M.
 Lovaine, lord
 Lowther, James
 Lushington, R. S.
 M'Naughten, E. A.
 Martin, R.
 Mellish, W.
 Montague, M.
 Moorsom, adm.
 Moore, lord H.
 O'Brien, sir E.
 Paget, hon. B.
 Paget, hon. C.
 Patteson, J.
 Perceval, rt. hon. S.
 Phipps, hon. E.
 Peele, R.
 Pitt, W. M.
 Plomer, sir T.
 Pole, rt. hon. W.
 Porter, Geo.
 Robinson, hon. F.
 Robinson, gen.
 Rochfort, G.
 Rose, rt. hon. G.
 Rose, G. H.
 Ryder, rt. hon. R.
 Scott, rt. hon. sir W.
 Singleton, M.
 Sloane, W.
 Smith, H.
 Smith, T. A.
 Sneyd, R.
 Scott, Claude
 Somerset, lord A.
 Stephen, J.
 Stewart, sir J.
 Strachan, A.
 Sullivan, rt. hon. J.
 St. Asaph, lord
 Thompson, sir T.
 Thynne, lord J.
 Thynne, lord G.
 Tyrwhitt, T.
 Wallace, rt. hon. T.
 Walpole, lord
 Ward, Robt.
 Wemyss, general
 Wharton, R.
 Yarmouth, earl of
 Yorke, sir J.

APPENDIX.

APPENDIX

TO THE

PARLIAMENTARY DEBATES,

1812.

FINANCE ACCOUNTS OF GREAT BRITAIN, FOR THE YEAR ENDED FIFTH OF JANUARY, 1812.

CLASS	CLASS
I. PUBLIC INCOME p. i, ii	V. PUBLIC EXPENDITURE .. xv, xxx
II. CONSOLIDATED FUND iii—x	VI. PUBLIC FUNDED DEBT, xxxi, xxxiv
III. ARREARS AND BALANCES..x—xii	VII. UNFUNDED DEBT .. xxxv, xxxvi
IV. TRADE AND NAVIGATION, xiii, xiv	VIII. DISPOSITION OF GRANTS, xxxvii, viii

I.—PUBLIC INCOME.

HEADS OF REVENUE.		Gross Revenue.			Net Produce.			Payments into Exchequer.		
ORDINARY REVENUES:		£.			£.			£.		
<i>Permanent and Annual Taxes.</i>		s. d.			s. d.			s. d.		
Customs	9,676,009	4	7½		7,835,236	5	6½	6,802,402	15	4½
Excise	20,617,266	8	0		19,003,970	16	5½	18,489,914	12	4
Stamps	5,396,882	11	5½		5,291,324	9	10½	5,090,478	11	3
Land and Assessed Taxes	7,399,442	1	0½		7,280,919	4	8½	6,868,230	8	9½
Post Office.....	1,709,869	1	9½		1,478,505	3	1½	1,274,000	0	0
1s. in the £. on Pensions and Salaries.....	19,288	7	2½		26,201	4	11½	22,335	6	8
6 d. in the £. on Pensions and Salaries ..	17,650	8	8½		21,480	6	6½	15,372	1	9
Hackney Coaches.....	30,909	0	0		23,076	9	1½	27,677	0	0
Hawkers and Pedlars	23,282	18	11		21,240	16	7	21,221	3	5
Total Permanent and Annual Duties.....	44,890,600	1	9½		40,986,860	16	10½	38,611,631	19	6½
<i>Small Branches of the Hereditary Revenue.</i>								Rents per. } 2,000 0 0		
Alienation Fines	8,571	10	0		9,570	10	9	4,039	12	0
Post Fines	2,032	5	0		5,357	12	11½			
Seizures	26,044	6	10½		26,044	6	10½	26,044	6	10½
Compositions and Proffers	595	4	11		595	4	11	595	4	11
Crown Lands	82,507	16	2½		85,858	12	0½	33,155	7	9
<i>Extraordinary Resources.</i>										
War Taxes. {	Customs	3,013,723	2	4½	2,633,919	0	10	2,633,919	0	10
	Excise	6,543,953	1	0	6,484,964	19	7½	6,410,139	17	8
	Property Tax	13,220,355	4	5	13,437,649	19	8½	12,941,155	5	10½
	Arrears of Income Duty, &c.	14,541	9	6½	14,336	5	0½	14,336	5	0½
Lottery. Net Profit—one third for Ireland.	304,000	0	0	281,386	8	0	281,386	8	0	
Monies Paid on Account of the Interest of Loans raised for the Service of Ireland.	2,752,796	11	10	2,752,796	11	10	2,752,796	11	10	
On account of the Commissioners, appointed for issuing Exchequer Bills for Grenada, &c.	31,000	0	0	31,000	0	0	31,000	0	0	
Surplus Fees of Regulated Public Offices.	73,324	17	11½	73,324	17	11½	73,324	17	11½	
Surplus Revenue of the Isle of Man	1,595	0	8	1,595	0	8	1,595	0	8	
On Account of the Interest, &c. of a Loan granted to the Prince Regent of Portugal	57,170	3	0	57,170	3	0	57,170	3	0	
Imprest Money repaid by sundry Public Accountants, &c.....	40,301	9	7½	40,301	9	7½	40,301	9	7½	
Other Monies paid to the Public	50,476	0	9	50,476	0	9	50,476	0	9	
Total, independent of Loans.....	71,113,588	6	0	66,973,208	1	5	63,965,047	12	4½	
Loans paid into the Exchequer, (of which the Sum of £. 4,500 000 is for the Service of Ireland)	16,636,375	3	9	16,636,375	3	9	16,636,375	3	9	
GRAND TOTAL	87,749,963	9	9	83,609,583	5	2	80,601,422	16	1½	

III.--CONSOLIDATED FUND AND PERMANENT TAXES.

INCOME.		CHARGE.		Actual Payments out of the Consolidated Fund, as it stood on 31st January, 1812.		Future Annual Charge upon the Consolidated Fund, as it stood on 31st January, 1812.	
Net Produce of the Customs		Total Charge for Debt created prior to 5th January 1803, as it stood on 5th January 1812		£.	s. d.	£.	s. d.
Excise	3,410,437	12	12	24,141,187	10 11 3	24,127,903	0 3
Stamp Duties	14,617,320	7	4				
Incidents	2,914,251	2	11 1/2				
Surplus of Sugar, Malt, & Tobacco, annually granted Ditto 6d. & 1s. per £. on Pensions and Salaries	5,657,376	14	2 1/2				
Arrears of Annual Malt, 1809, 1810	1,179,481	18	7				
Pensions, Offices, and Personal Estates, 1804 to 1811	553,923	0	5	938,000	0 0	938,000	0 0
Land Taxes, 1801 to 1811	129,497	9	7 1/2				
Income Duty, 1799 to 1801	996,336	0	5 1/2				
Arrears of Assessed Taxes, 1798	14,214	15	0				
Money reserved on account of Nominees appointed by the Lords of the Treasury, in Tontine, 1809	191	10	0 1/2				
Fines of Leases	23,911	8	5				
Rent of Crown Lands	8,099	0	0				
Monies paid into the Treasury by divers persons	24,165	14	4 1/2				
Total Income, applicable towards Debt created before 5th Jan. 1803	1,110,416	1	7 1/2				
DUTIES pro Anno 1803.		30,642,230	3 2 1/2				
Reserved out of Consolidated Customs		250,000	0 0				
Brought from Consolidated Duties on Stamps		59,965	15 3				
Reserved out of Consolid. Duties on Assessed Taxes		289,705	0 0				
Interest, &c. on Loan for Ireland		136,032	17 1				
TOTAL		735,723	12 4				
DUTIES pro Anno 1804.							
Brought from Consolidated Stamp Duties		960,346	18 11				
Interest, &c. on Loan for Ireland		330,213	17 2				
TOTAL		1,290,460	16 1				
DUTIES pro Anno 1805.							
Brought from Consolidated Stamp Duties		52,813	16 8 1/2				
Ditto from Consolidated Customs on Goods		252,196	10 0				
Taken from Consolidated Letter Money		350,333	6 8				
Reserved out of Consolidated Duties on Assessed Taxes, Duty on Horses		149,994	0 0				
TOTAL		999,981	1 5 1/2				
DUTIES pro Anno 1803.							
Reserved out of Consolidated Customs		250,000	0 0				
Brought from Consolidated Duties on Stamps		59,965	15 3				
Reserved out of Consolid. Duties on Assessed Taxes		289,705	0 0				
Interest, &c. on Loan for Ireland		136,032	17 1				
TOTAL		735,723	12 4				
DUTIES pro Anno 1804.							
Brought from Consolidated Stamp Duties		960,346	18 11				
Interest, &c. on Loan for Ireland		330,213	17 2				
TOTAL		1,290,460	16 1				
DUTIES pro Anno 1805.							
Brought from Consolidated Stamp Duties		52,813	16 8 1/2				
Ditto from Consolidated Customs on Goods		252,196	10 0				
Taken from Consolidated Letter Money		350,333	6 8				
Reserved out of Consolidated Duties on Assessed Taxes, Duty on Horses		149,994	0 0				
TOTAL		999,981	1 5 1/2				

Duties taken from Consolidated Excise Interest, &c. on Loan for Ireland	709,364	0	0	Total of Incidental Charges upon the Consolidated Fund, as they stood on the 5th January, 1812.				1,472,403	11	9½	1,313,062	13	0						
TOTAL	1,791,069	7	5½																
DUTIES pro Anno 1806.																			
Wine, 1803, 1804, and Tea	441,483	0	0	Debt incurred in respect of £. 12,000,000, raised for the Service of the Year 1803										817,120	10	6½			
British Spirits, 1806	362,700	0	0	Debt incurred in respect of £. 14,500,000, raised for the Service of the Year 1804										1,174,168	13	0			
Reserved out of Consolidated Duties on Assessed Taxes	542,299	0	0	Debt incurred in respect of £. 22,500,000, raised for the Service of the Year 1805										1,716,992	0	4			
Brought from Consolidated Stamp Duties Interest, &c. on Loan for Ireland	6,917	1	4	Debt incurred in respect of £. 20,000,000, raised for the Service of the Year 1806										1,339,988	0	0			
TOTAL	1,487,263	9	5	Debt incurred in respect of £. 12,000,000, part of £. 14,200,000, raised for the Service of the Year 1807										1,434,519	14	5			
DUTIES pro Anno 1807.																			
Brought from War Taxes, to pay the Charge of Loan Interest, &c. on Loan for Ireland	1,200,000	0	0	Debt incurred in respect of £. 4,000,000, Exchequer Bills, funded for the Service of the Year 1808										878,055	2	4½			
TOTAL	292,874	13	6	Debt incurred in respect of £. 7,932,100, Exchequer Bills, funded for the Service of the Year 1809										1,378,005	7	7			
DUTIES pro Anno 1808.																			
Surplus of Consolidated Duties on Assessed Taxes	131,675	13	10½	Debt incurred in respect of £. 8,311,000, Exchequer Bills, funded for the Service of the Year 1810										1,531,507	6	4½			
Surplus of Consolidated Stamp Duties Interest, &c. on Loan for Ireland	150,000	0	0	Debt incurred in respect of £. 7,018,700, Exchequer Bills, funded for the Service of the Year 1811										918,744	16	4½			
TOTAL	148,700	11	9											1,494,962	2	1½			
DUTIES pro Anno 1809.																			
Brought from Consolidated Customs	430,376	5	7½											24,141,187	10	11½			
Ditto from War Taxes, to pay the Charge of Loan	105,000	0	0	Total Charge for Debt incurred prior to 1803										24,127,903	0	3			
Charges of Loan for the Prince Regent of Portugal	1,040,000	0	0	Total of Incidental Charges										1,472,403	11	9½			
Interest, &c. on Loan for Ireland	57,170	3	0	Total Charge for Debt incurred in 1803										817,120	10	6½			
TOTAL	177,967	15	11	Ditto.... Ditto..... 1804										1,174,168	13	0			
DUTIES pro Anno 1810.																			
Brought from Consolidated Stamp Duties	946,683	16	1	Ditto.... Ditto..... 1805										1,716,992	0	4			
Interest, &c. on Loan for Ireland	413,265	1	8	Ditto.... Ditto..... 1806										1,339,988	0	0			
TOTAL	1,359,948	17	9	Ditto.... Ditto..... 1807										1,434,519	14	5			
DUTIES pro Anno 1811.																			
Interest, &c. on Loan	216,089	14	1	Ditto.... Ditto..... 1808										878,055	2	4½			
British Spirits, 1811	142,315	0	0	Ditto.... Ditto..... 1809										1,378,006	7	7			
Foreign Spirits, ditto	20,055	0	0	Ditto.... Ditto..... 1810										1,531,507	6	4½			
TOTAL	378,450	14	1	Ditto.... Ditto..... 1811										918,744	16	4½			
TOTAL INCOME of the CONSOLIDATED FUND in the year ended 5th Jan. 1812														36,801,993	18	9½	37,314,898	16	2½

RECAPITULATION.

Total Charge for Debt incurred prior to 1803	24,141,187	10	11½
Total of Incidental Charges	1,472,403	11	9½
Total Charge for Debt incurred in 1803	817,120	10	6½
Ditto, Ditto	1,174,168	13	0
Ditto, Ditto	1,716,992	0	4
Ditto, Ditto	1,339,988	0	0
Ditto, Ditto	1,434,519	14	5
Ditto, Ditto	878,055	2	4½
Ditto, Ditto	1,378,006	7	7
Ditto, Ditto	1,531,507	6	4½
Ditto, Ditto	918,744	16	4½

TOTAL CHARGE upon the CONSOLIDATED FUND in the year ended 5th January, 1812

An Account of the Net Produce of all the PERMANENT TAXES of GREAT BRITAIN;

	In the Year ended 5 Jan. 1811.			Do. 5th Jan. 1812.		
	£.	s.	d.	£.	s.	d.
CONSOLIDATED CUSTOMS	4,869,366	5	5½	3,974,732	1	10½
..... Ditto EXCISE	15,867,564	15	0	15,768,167	12	4
..... Ditto STAMPS	5,334,509	0	10	5,086,782	11	2
INCIDENTS.						
Houses and Windows 1766.....	—	—	—	300	0	0
Horses for Riding 1785.....	312	0	0	200	0	0
Male Servants	—	—	—	300	0	0
Carts	6	0	0	—	—	—
Hackney Coaches and Chairs 1711 and 1784.....	25,458	0	0	23,877	0	0
6d. per Lib. on Pensions 1721	18,318	2	0½	—	—	—
1s. Ditto on Salaries..... 1758	4,367	7	3½	—	—	—
4 Wheeled Carriages 1785.....	206	18	0	50	0	0
2 Ditto Ditto	—	—	—	150	0	0
Waggons	4	9	0	—	—	—
£. 10 per Cent. 1791	2	9½	—	—	—	—
Letter Money	1,256,000	0	0	1,275,000	0	0
Hawkers and Pedlars.....	14,353	13	4½	20,251	3	5
Seizures.....	14,773	7	3½	26,044	6	10½
Proffers.....	618	6	11	583	1	7
Compositions	1	10	0	2	3	4
Fines and Forfeitures.....	303	9	0	873	10	0
Rent of a Light House	6	13	4	6	13	4
Ditto.... Alum Mines	864	0	0	864	0	0
Alienation Duty.....	4,443	18	8	4,040	2	0
Lottery Licences	3,946	8	6	3,696	0	1
Quarantine Duty	26,462	2	5½	13,679	0	0
Canal and Dock Duty	44,142	11	5	32,907	10	5½
Hair Powder Certificates..... 1795	—	—	—	902	2	0
Horse Dealers Licences 1796	—	—	—	200	0	0
£. 20 per Cent..... 1797.....	562	13	2	300	0	0
Houses..... 1778.....	—	—	—	200	0	0
Horses..... 1797.....	—	—	—	200	0	0
Dogs	—	—	—	100	0	0
Additional assessed Taxes..... 1798.....	6,157	19	0½	121	10	0½
Houses and Windows	100	0	0	1,299	6	0
Inhabited Houses	—	—	—	220	9	4
Horses for Riding	—	—	—	741	2	0
Ditto Husbandry	—	—	—	1,235	14	0
Male Servants	—	—	—	20	11	0
4 Wheeled Carriages	—	—	—	34	16	0
2 Ditto	—	—	—	1,027	12	0
Dogs	—	—	—	1,012	6	0
Armorial Bearings	—	—	—	501	11	6
Horses for Husbandry 1801.....	—	—	—	23	16	0
Ditto Riding	—	—	—	17	10	0
Houses and Windows 1802.....	203	18	10	2,628	2	5
Inhabited Houses	200	0	0	1,300	0	0
Horses for Riding	87	0	0	576	8	4
Ditto.... Husbandry	—	—	—	420	5	6
Male Servants	—	—	—	21	6	1
4 Wheeled Carriages.....	225	1	1	92	16	0
2 Ditto	27	0	0	500	0	0
Dogs	—	—	—	503	6	0
Houses and Windows 1804.....	36,592	11	1	10,361	15	6
Inhabited Houses	31,386	8	7½	4,930	19	3
Horses for Riding	41,510	5	7	4,803	14	9½
Ditto and Mules.....	44,035	2	5½	6,421	9	6½
Male Servants	24,878	16	8½	2,009	10	7
Carriages	34,454	7	4½	4,111	16	10½
Dogs	24,636	2	5½	4,739	17	8
Hair Powder Certificates.....	15,051	10	5½	3,131	11	4
Horse Dealers Licences	4,443	11	11½	734	7	0
Armorial Bearings	10,847	4	11	1,875	1	5
British Spirits	195,400	0	0	505,015	0	0
Foreign Spirits	—	—	—	20,055	0	0

taken for Two Years, ending respectively 5th January 1811 and 5th January 1812.

	In the Year ended 5 Jan. 1811.			Do. 5th Jan. 1812.		
	£.	s.	d.	£.	s.	d.
£. 10 per Cent.	49,186	19	2½	8,870	0	5½
Consolidated Assessed Taxes 1808	5,614,200	17	6	5,667,881	13	1½
Land Taxes..... 1809	1,091,917	9	1½	999,782	1	5½
6d. per lib. on Pensions	16,660	0	0	3,650	0	0
1s. Ditto on Salaries	16,720	0	0	6,550	0	0
6d. per lib. on Pensions 1810	200	0	0	9,200	0	0
1s. Ditto on Salaries	2,400	0	0	12,800	0	0
6d. Ditto on Pensions 1811	—	—	—	1,100	0	0
1s. Ditto on Salaries	—	—	—	1,700	0	0
Customs, Isle of Man	—	—	—	8,335	4	9½
Surplus Duties Annually granted after discharging £. 3,000,000. Exchequer Bills charged thereon.	Sugar and Malt	580,313	13 10¼	230,927	11	0
	Additional Malts	737,703	15 9	834,072	0	0
	Annual Malts	494,129	0 0	553,923	0	0
	Tobacco	133,881	5 2½	119,878	0	0
	Land Tax on Offices, &c.	148,111	13 1½	129,497	9	7½
	6d. per lib. on Pensions	5,330	0 0	1,422	1	9
Duties Annually granted to discharge £. 3,000,000. Exchequer Bills charged thereon.	1s. Ditto Salaries.	6,890	0 0	1,285	6	8
		36,852,453	8 11½	35,404,781	19	6
	Sugar and Malt	2,242,414	7 0½	2,134,981	18	1½
	Additional Malts	252,477	4 3	282,528	0	0
	Annual Malts	—	—	—	—	—
	Tobacco	376,630	14 9½	406,276	0	0
	Land Tax on Offices, &c.	93	8 2	4,030	0	0
		39,724,069	3 2¼	38,232,567	17	7½

III.—ARREARS AND BALANCES.

HEADS AND TOTALS OF THESE ACCOUNTS.

	£.	s.	d.
Arrears due on the 5th January 1812, from the Officers of the } Present Collectors.	34,581	1	5
Customs in England, &c. } Late Collectors....	2,069	17	6
Arrears due on Ditto, from the Officers of the Customs in } Late Collectors....	180	1	2½
Scotland, &c. } Present Collectors.	10,771	17	8
Arrears due on Ditto, from the Officers of Excise in England, &c.	36,451	7	0½
Arrears due on Ditto, from the Officers of Excise in Scotland, &c.	3,517	19	9½
Arrears due on Ditto from the Distributors of Stamps in Great Britain, &c.	27,296	2	0½
Balances in the Hands of the Distributors of Stamps in Great Britain, &c.	116,298	2	6½
Arrears due on 5th January 1811, from the Receivers Gene- } Late Collectors....	100,135	6	1
ral of the Land and Assessed Taxes in Great Britain, &c. } Present Collectors.	475,204	17	4
Arrears due on the 5th January 1811, from the Officers of the Post } Irrecoverables	5,072	3	1½
Office in Great Britain, &c. } Recoverables	5,891	15	2
Balances in the Hands of the Deputy Postmasters in Great Britain, &c.	37,912	1	1½
Balances due on the 5th January 1811, from the Receivers of the Land Revenue of the Crown for England, &c.	None.		
Balances due on Ditto from the Receivers of the Land Revenue of the Crown for Wales, &c.	None.		
Accounts delivered into the Office of the Comptrollers of the Accounts of the Army, &c.	(Total not given.)		

List of Officers and Departments whose Accounts are Audited by the Commissioners for Auditing the PUBLIC ACCOUNTS; viz.

Army, Paymaster General of.	and Secretary to the said Commissioners.
Bank of England, Chief Cashier.	Navy, Treasurer of.
Bank of England, Chief Cashier, for Loans and Lotteries.	Navy, Treasurer of, Bills funded.
Barracks, First Commissioner for the Affairs of.	Ordnance, Treasurer of.
Chelsea Hospital, Agent to the Out-Pensioners of.	Ordnance, Treasurer of, Bills funded.
Customs, Receiver General of.—Cash.	Orphans Fund, Chamberlain of London.
Customs, Comptroller General of.—General.	Post, Receiver General.—Cash.
Civil List Deduction, Receiver of.	Post, Comptroller General.—General.
Clergy, Receiver of the First Fruits.	Places and Pensions Tax, Receiver of.
Clergy, Receiver of the Tenths.	Roads, Military, in North Britain, Inspector of.
Chamberlain, Lord, of the Household.	Robes, Master of.
Exchequer Bills, Paymasters of.	Stamps, Receiver General of.—Cash.
Emigrants, Toulonese, Paymaster of Allowances to.	Stamps, Comptroller General of.—General.
Hawkers and Pedlars, Commissioners for licensing.	South Sea Annuities, Cashier.
Hackney Coaches and Chairs, Receiver General of the Monies arising by licensing.	Stationary Office, Comptroller and Cashier.
Hanaper, Keeper or Clerk of.	Somerset Place, Surveyor.
Horse, Master of.	Tontine Certificates, Inspector of.
Lottery, Secretary for the Contingent Expences of.	Treasury Solicitor.
Loyalists, American, Paymaster of Allowances to.	Widows Pensions, Paymaster.
Man, Isle of, Receiver General of the Customs.	Agent for Cape Breton.—Bahama Islands.—New Brunswick.—Prince Edward Island.—Upper Canada.—Newfoundland.—Nova Scotia.—New South Wales.
Military Asylum, Treasurer.	Agent for Regimental Infirmaries.
Military College, Treasurer.	Agent for paying Allowances to retired and officiating Chaplains of the Army.
Mint, Master of.	Agent for Volunteer Corps.
Mint, Warden of.	Agent for Sierra Leone.
National Debt, Commissioners for Reduction of;	

List of Persons Accountable before the Commissioners for Auditing the PUBLIC ACCOUNTS, for Money imprested on Account, for Extraordinary Services; viz.

Barrack Masters General Abroad.	ordinaries of the Forces.
Deputy Barrack Masters General.	Governors of Islands and Provinces, and Lieutenant Governors thereof.
Contractors, for furnishing Camps, with Bread, Wood, Straw, and Forage.	Commanders in Chief, for Contingencies.
Commissaries General and Deputy Commissaries, for the Purchase and Issues of Stores and Provisions.	Paymasters of Provincial Forces.
Commissaries of Accounts with Armies Abroad.	Purveyors of Hospitals.
Engineers, for Monies received out of the Extra-	Quarter Masters General, and Deputy Quarter Masters General.
	Foreign Ministers, for Subsidies to Foreign Courts.

N. B.—Any Person to whom Money may be Imprested on Account for Extraordinary Services (not relating to the Navy or Ordnance) becomes a Public Accountant, and is compellable to pass an Account in this Office.

This Class also contains,

List of the Accounts delivered over by the late Commissioners for Auditing Public Accounts to the Commissioners appointed for the like purpose under the 46th Geo. 3.; and of the Accounts since received into the Audit Office, Somerset-Place, or since received into the office of the said Commissioners, which have neither been *Audited, Stated, or Declared*;—completed to the 5th of January 1811.

List of the Accounts delivered over by the late Commissioners for Auditing the Public Accounts to the Commissioners appointed for the like purpose under the 46th Geo. 3.; and of the Accounts since received into the Audit Office, Somerset-Place, or since received into the office of the said Commissioners, which have been either *Stated or Declared*; so far as any *Balances* appear to be now owing to or from, the Public upon any such Accounts;—completed to the 5th of January 1811.

IV.—TRADE AND NAVIGATION OF GREAT BRITAIN.

Value of all IMPORTS into, and all EXPORTS from GREAT BRITAIN, for Three Years, ended the 5th of January, 1812.

	OFFICIAL VALUE of IMPORTS.		OFFICIAL VALUE of EXPORTS.	
	From Europe, Africa, and America.	From East Indies and China.	British Produce and Manufactures.	Foreign Merchandise.
	£.	£.	£.	£.
Year ended 5th January 1810	30,409,384	3,363,025	35,104,132	15,182,768
..... 1811	36,427,722	4,708,413	34,923,575	10,946,284
..... 1812	24,525,071	*	24,109,931	8,279,698

Note—The real Value of British Produce and Manufactures Exported from Great Britain, according to the average Prices Current, and the Declarations of the Exporters, in the Year ended the 5th of January 1812, amounted to £. 34,917,281

* The Account of Imports from the East Indies and China cannot yet be stated.

[The Appendixes to this Account specify the various Articles.]

Number of VESSELS, with the Amount of their TONNAGE, which have been Built and Registered in the several Ports of the BRITISH Empire, (except Ireland) in the Years 1809, 1810, and 1811.

	SHIPS.	TONS.
In the Year 1809	596	61,455
In the Year 1810 being the Account delivered last year, and now corrected.....	685	84,891
In the Year 1811	772	104,100

Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in navigating the same, which belonged to the several Ports of the BRITISH Empire, on the 30th September, in the Years 1809, 1810, and 1811.

	In 1809.			In 1810.			In 1811.		
	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
England	15,687	1,875,224	122,815	16,048	1,918,089	126,008	16,164	1,942,406	123,757
Scotland	2,554	206,075	14,720	2,552	209,736	15,064	2,630	220,688	15,490
Ireland	1,119	60,979	5,560	1,126	58,650	5,416	1,133	59,135	5,484
Plantations	3,188	201,247	13,857	3,450	215,383	14,157	3,628	227,452	14,085
Guernsey	112	10,503	912	104	9,947	883	94	9,485	855
Jersey	58	5,451	576	57	5,454	550	59	6,003	547
Isle of Man.....	372	8,989	2,158	366	8,785	2,117	398	9,583	2,329
Totals	23,070	2,368,468	160,598	23,703	2,426,044	164,195	24,106	2,474,774	162,547

Number of VESSELS, which entered INWARDS and cleared OUTWARDS, at the several Ports of GREAT BRITAIN, from, or to, all Parts of the World, between 5th January 1809, and 5th January 1812.

	INWARDS.						OUTWARDS.					
	BRITISH.			FOREIGN.			BRITISH.			FOREIGN.		
	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.	SHIPS.	TONS.	MEN.
Eng-land.												
1809	10,173	1,327,723	80,938	4,692	722,920	36,420	9,935	1,318,508	87,153	4,379	674,680	35,894
1810	10,467	1,346,990	84,776	6,199	1,070,080	54,268	10,159	1,369,696	89,435	6,210	1,073,335	57,187
1811	10,179	1,294,651	77,354	2,921	637,416	31,417	10,111	1,264,509	79,732	3,048	647,159	34,460
Scot-land.												
1809	2,483	211,850	14,338	230	36,367	1,865	2,564	212,644	15,370	151	25,070	1,362
1810	3,090	262,098	18,124	677	106,163	5,826	2,933	254,578	18,289	331	64,992	3,683
1811	2,729	228,041	17,386	293	49,764	2,743	2,663	242,843	17,007	302	49,073	2,802

V.—PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest, &c. on the Permanent Debt of Great Britain, Unredeemed	-	-	-	-	-	-	34,832,054	18	0½
II. Interest on Exchequer Bills, (B) ..	-	-	-	-	-	-	1,556,735	0	3½
III. Civil List, (C)	-	-	-	958,000	0	0			
IV. { Other Charges } Courts of Justice	-	-	-	78,306	15	4½			
on the Mint	-	-	-	10,837	13	0			
Consolidated Allow. to R. Fam.	-	-	-	999,981	1	5½			
Fund, viz. Sal. & Allowances	-	-	-	66,640	13	9½			
Bounties	-	-	-	58,637	8	2½			
V. Civil Government of Scotland, (D)	-	-	-	-	-	-	1,472,403	11	9½
VI. Other Payments in Anticipation, (E)							109,693	6	1
Bounties for Fisheries, Manufactures, Corn, &c.	-	-	-	395,975	2	7			
Pensions on the Hereditary Revenue	-	-	-	27,700	0	0			
Militia and Deserters Warrants....	-	-	-	172,874	2	6			
VII. The Navy, (F.) Wages of Officers and Seamen	2,721,000	0	0				596,549	5	1
Half Pay to Sea Officers and Bounty to Chaplains	291,000	0	0						
Wages to His Majesty's Dock and Rope Yards	918,000	0	0						
General Services. — Building of Ships, Purchase of Stores of every description, Repairing of Ships, Purchase of Ships taken from the Enemy, Head Money, &c... ..	4,126,291	15	1						
Bills of Exchange, Imprests, Salaries, Pensions, &c.	1,464,881	15	2						
The Victualling Department	-	-	-	5,921,173	10	3			
Transport do. for Transports, Prisoners of War, Sick & Wounded Seamen	3,538,225	3	6	6,079,280	1	1			
Miscellaneous Services	402,000	1	0						
VIII. Ordnance (G)	-	-	-	3,940,225	3	6	19,540,678	14	10
IX. Army, (H)	-	-	-				4,557,509	8	6
Extraordinary Services	-	-	-	13,753,163	0	0			
X. Loans, Remittances, and Advances to other Countries, (I) viz.				10,116,196	0	0	23,869,359	0	0
Ireland	-	-	-						
Sicily	-	-	-	4,432,292	15	3			
Portugal	-	-	-	275,000	0	0			
Spain	-	-	-	2,702,747	0	0			
XI. Miscellaneous Services . (K)							7,410,039	13	3
At Home	-	-	-	1,711,309	17	11			
Abroad	-	-	-	251,326	10	3½			
Deduct Loan, &c. for Ireland	-	-	-				1,962,636	8	2½
Deduct for Interest, &c. on Portuguese Loan	-	-	-	4,432,292	15	3			
				57,170	3	0	95,907,659	8	3½
							4,489,463	18	3
This includes the Sum of £.425,175 0 3 for Interest, &c. paid on Imperial Loans							91,418,196	10	0½

APPENDIX (A).—Monies paid in the Year ended 5th Jan. 1812, towards the Charges of the PUBLIC DEBT of Great Britain, Ireland, Imperial and Portuguese Loans.

	INTEREST.			Annuities for Lives and for Terms of Years.			Charges of Management.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Permanent Funded Debt of Great Britain.	18,593,428	15	8½	1,150,169	8	11½	207,030	16	5½
Loans raised for the Service of Ireland.	1,817,665	10	2	104,083	6	8	16,875	4	10
Imperial Loans.	191,028	7	9	230,000	0	0	4,146	12	6
Portuguese Loans	24,469	11	9	-	-	-	297	2	3
	20,616,592	5	4½	1,484,252	15	7½	228,349	16	0½
Towards the Redemption of the Public Debt;									
Annual Issue, per Act 26 Geo. III.				1,000,000	0	0			
Ditto 42 Do.				200,000	0	0	22,329,194	17	0½
Annuities for Terms of Years expired prior to 5th July 1802.				79,880	14	6			
Ditto, on Lives, on which the Nominees died prior to 5th July 1802, or that have been unclaimed for 3 Years.				50,952	15	7			
Interest on Debt of Great Britain redeemed				5,284,928	11	1			
Ditto on part of Ditto.				122,413	16	9			
Ditto Ireland				241,867	8	8	12,502,698	12	11½
Ditto Imperial				34,050	12	3			
Ditto Portuguese				2,396	1	8	34,831,893	10	0½
£. 1 per cent. on part of Capitals created since 5th Jan. 1793.				4,130,339	15	4½			
Part of the Annual Appropriation				626,255	10	5			
£. 1 per cent. on Capitals created by Loans for Ireland				621,571	13	8			
Ditto Imperial Loans				36,693	0	0			
Ditto Portuguese do.				30,000	0	0			
Interest on Stock transferred for Life Annuities				41,348	13	0			

APPENDIX (A. 2).—Total Amount of the Sums actually received by the COMMISSIONERS for the Reduction of the NATIONAL DEBT, in the Year ended 5th Jan. 1812.

GREAT BRITAIN.				£.	s.	d.	£.	s.	d.
Annual Issue				1,000,000	0	0			
Ditto additional Issue				200,000	0	0			
Exchequer Annuities for 99 and 96 years expired anno 1792				54,880	14	6			
Short Annuities 1777 expired 1787.				25,000	0	0			
Annuities on Lives expired prior to 5th July 1802.				29,802	9	6			
Annuities on Lives unclaimed for 3 years before 5th Jan. 1811				21,150	6	1			
£. 1 per ct. on part of Capitals created by Loans from 1793 to 1811				4,130,339	15	0½			
Interest on Capitals purchased by the Commrs. at £. 3 per cent.				4,965,952	11	1			
Ditto £. 4 per cent.				311,856	0	0			
Ditto £. 5 per cent.				7,100	0	0			
Ditto on Capital transferred for Life Annuities, at £. 3 per cent.				41,348	13	0			
Returned from Account of Life Annuities				161	8	0			
Annual Appropriation towards Redemp. of part of Loan 1807				626,255	10	5	10,787,611	17	2½
Interest on Capital purchased at £. 3 per cent.				122,413	16	9			
							748,669	7	2
Deduct, set apart from Sinking Fund for payment of Life Anns.				-	-	-	11,536,281	4	4½
IRELAND.							95,539	14	7
£. 1 per cent. on Capitals created by Loans from 1797 to 1810				621,571	14	0	11,440,741	9	9½
Interest on Capital purchased at £. 3 per cent.				241,867	8	8			
							863,439	2	8
IMPERIAL.									
£. 1 per cent. per ann. on Capital created by Loan 1797				36,693	0	0			
Interest on Capital purchased at £. 3 per cent.				34,050	12	3			
							70,743	12	3
PORTUGAL.									
Towards the Redemption of Capital created by Loan 1809.				30,000	0	0			
Interest on Capital purchased at £. 3 per cent.				2,396	1	8			
							32,396	1	8
Applied to the purchase of Stock				-	-	-	12,407,320	6	4½
Ditto to the payment of Life Annuities.				-	-	-	95,539	14	7
Gross Amount.							12,502,860	0	11½

APPENDIX (B).—Interest paid on EXCHEQUER BILLS, from the 5th Jan. 1811 to the 5th Jan. 1812.

Under what Acts issued.	On what Funds charged.	£.	s.	d.
48 Geo. III. cap. 53. - - - -	To be paid off 6 months after Peace -	90,800	0	0
49 Ditto cap. 114. - - - -	Supplies 1810 - - - - -	15,902	18	6½
50 Geo. III. cap. 1. - - - -	Malt and Personal Estates, 1810 - -	5,655	16	6
Ditto cap. 2. - - - -	Supplies, 1811 - - - - -	469,943	18	2
Ditto cap. 3. - - - -	Ditto - - - - -	75,000	0	0
Ditto cap. 69. - - - -	Ditto - - - - -	123,085	3	9
Ditto cap. 70. - - - -	Ditto 1810 - - - - -	645,442	19	9
Ditto cap. 113. - - - -	Ditto 1811 - - - - -	15,699	19	3
Ditto cap. 114. - - - -	Ditto - - - - -	65,875	0	0
51 Geo. III. cap. 2. - - - -	Malt and Personal Estates, 1811 - -	50,829	4	6
		£. 1,556,735	0	3½

APPENDIX (C).—Charge upon the CONSOLIDATED FUND, in the Year ended the 5th Jan. 1812; exclusive of the Interest of the PUBLIC DEBT, and of the Payments upon EXCHEQUER BILLS.

CIVIL LIST.		£.	s.	d.		£.	s.	d.
For his Majesty's Household..	958,000	0	0		Duchess of York	4,000	0	0
COURTS OF JUSTICE, (See page iii.)	78,306	15	4½		Ditto Brunswick	10,000	0	0
MINT, (See page iii.)	10,837	13	0		Duke of Brunswick	7,000	0	0
SALARIES & ALLOWANCES.					Duke of Gloucester	14,000	0	0
Rt. hon. Cha. Abbot, Speaker, to complete £. 6000 per ann.	1,471	14	0		Princess Sophia of Gloucester	7,000	0	0
Marquis of Bute, late one of the Auditors of Imprest	7,000	0	0		Earl St. Vincent	2,000	0	0
P. Deare, esq. late Deputy ditto	300	0	0		Viscount Duncan	2,000	0	0
E. Roberts, esq. on yearly sum of £. 650 formerly paid to the Auditor of the Exchequer	650	0	0		Duke of Richmond	6,333	6	8
Commissioners for Auditing the Public Accounts	9,900	0	0		Sir Beaumont Hotham, knt....	2,000	0	0
Salaries and Contingencies in the Office of Ditto	35,729	14	0		Lord Erskine.....	4,000	0	0
Chief Cashier of the Bank for fees	970	17	0		Sir Sydney Smith	1,000	0	0
Ditto S. S. Company for Ditto	281	14	6		Baroness Abercrombie.....	2,000	0	0
Inspector of Tontine Certificates	550	0	0		Lord Hutchinson	2,000	0	0
Commissioners for Auditing Public Accounts in the West Indies	3,500	0	0		Sir James Saumarez	1,200	0	0
Salaries and Contingencies in the Office of Ditto	6,286	14	3½		For the Prince of Orange	16,000	0	0
PENSIONS.					Lord Amherst	3,000	0	0
Arthur Onslow, esq.	3,000	0	0		Duke of Athol	3,444	13	3½
Earl of Chatham	4,000	0	0		Earl Nelson	5,000	0	0
Lord Heathfield	1,500	0	0		Lady Nelson	2,000	0	0
Lord Rodney	2,000	0	0		Sir Richard Strachan	1,000	0	0
.... Ditto	923	1	6		Lady Collingwood	1,000	0	0
Lady Dorchester	1,000	0	0		Hon. Sarah Collingwood	500	0	0
John Penn	3,000	0	0		Hon. Mary Patience Collingwood	500	0	0
Richard Penn	1,000	0	0		Sir J. T. Duckworth	1,000	0	0
H. R. H. the Prince of Wales	65,000	0	0		The Duke of Grafton	4,580	0	0
Ditto Duke of York	14,000	0	0		Sir John Stuart	1,000	0	0
Ditto Ditto Clarence	18,000	0	0		Lord Lake	2,000	0	0
Ditto Ditto Kent	18,000	0	0		Lord Wellington	2,000	0	0
Ditto Ditto Cumberland	18,000	0	0		BOUNTIES, &c.			
Ditto Ditto Sussex	18,000	0	2		For the Growth of Hemp and Flax in Scotland.....	2,956	13	8
Ditto Ditto Cambridge	18,000	0	0		Commissioners to pay Compensation to Persons suffering under the Dock Act,.....	51,790	10	0
Princess Charlotte of Wales.	7,000	0	0		Salaries, &c. in Office of ditto	3,000	0	0
					Bounties on Seizure and Condemnation of Slaves.....	156	0	0
					Dean and Chapter of Westminster; one Year's Rent of Premises demised to the Commissioners of Woods, for the Improvements in Westminster, per Act 50 Geo. III. cap. 119.	734	4	6½
					£. 1,472,403	11	2½	

APPENDIX (D).—*A List of all such Sum and Sums of Money as have been incurred, and become due upon His Majesty's Establishment for CIVIL AFFAIRS within SCOTLAND, bearing Date the 19th Day of June 1761; for one Year, from 5th Jan. 1811 inclusive, to 5th Jan. 1812 exclusive.....* £. 109,693 6 1½

APPENDIX (E. 1).—*Amount of BOUNTIES paid in England and Scotland out of the Revenues of Customs and Excise, between the 5th Jan. 1811, and the 5th Jan. 1812; being Payments in the nature of Anticipations of Exchequer Issues.*

CUSTOMS.	ENGLAND.	SCOTLAND.	GREAT BRITAIN.
	£. s. d.	£. s. d.	£. s. d.
Bounties on Cotton and Linen Manufactures, &c.....	285,137 19 11½	79,672 1 11½	364,810 1 10½
.... British & Southern Whale Fishery....			
.... Newfoundland & White Herring do. }			
EXCISE.			
Bounties on British Spirits	9,270 8 5½	21,894 12 2½	31,165 0 3½
..... on Fish			
Buss & Barrel Bounties, certified on the Excise for Deficiency of Money in the hands of Receiver General of Customs }			
	294,408 8 5	101,566 14 2	395,975 2 7

APPENDIX (E. 2).—POST OFFICE.—*Pensions paid by Parliamentary GRANTS, in the Year ended the 5th of Jan. 1812.*

His Grace the Duke of Marlborough.....	£. 5,000
His Grace the Duke of Grafton	4,700
The Heirs of the late Duke of Schomberg.....	4,000
	£. 13,700

APPENDIX (E. 3).—EXCISE.—*An Account shewing how the PUBLIC MONIES remaining in the Receipt of the Exchequer on the 5th Jan. 1811, together with the Monies paid into the same during the Year ended 5th Jan. 1812, and the Monies paid out of the Net Produce of the Revenues of the said Year, in Anticipation of the Exchequer Receipt, have been actually applied; so far as regards the Receipt of the Excise in England, and can be ascertained at the Excise Office.*

PENSIONS, viz.	£.	s.	d.	
Duke of Grafton.....	9,000	0	0	
Earl Cowper	2,000	0	0	
Charles Boone, Esq. Moiety of the Earl of Bath's	1,500	0	0	
Lord Melbourne's Ditto	1,500	0	0	
BOUNTIES.				
On Salted Provisions exported, White Herrings caught, and Tonnage in the White Herring Fishery	9,270	1	5½	{ included in App. E. 1.
	£. 23,270	8	5½	

APPENDIX (E. 4).—*Sums advanced by the Receivers General of Land and Assessed Taxes, on Account of MILITIA and DESERTERS WARRANTS, and other Disbursements under various Acts of Parliament; between the 5th Jan. 1811 and 5th Jan. 1812.*

	ENGLAND & WALES.	SCOTLAND.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.
Militia and Deserters Warrants	107,852 16 7	17,111 10 5½	124,964 7 0½
Volunteers	19,214 18 8	2,645 2 8	21,860 1 4
Defence Acts	3,768 18 7	1,462 7 10½	5,231 6 5½
Army of Reserve	15,119 17 8	4,282 11 4	19,402 9 0
Population Act	- - -	1,415 18 8	1,415 18 8
	145,956 11 6	26,917 11 0	172,874 2 6

xxiii] PARL. ACCOUNTS.—GREAT BRITAIN.—Public Expenditure. [xlv
APPENDIX (F).—NAVY.—Monies received from His Majesty's Exchequer, for NAVAL
SERVICES, between the 5th Jan. 1811 and the 5th Jan. 1812.

HEADS OF SERVICE.	SUM.			TOTAL.					
<i>NAVY.</i>									
<i>WAGES.</i>			<i>£.</i>	<i>s.</i>	<i>d.</i>	<i>£.</i>	<i>s.</i>	<i>d.</i>	
Wages of Officers and Seamen	2,721,000	0	0						
Half Pay to Sea Officers, and Bounty to Chaplains	291,000	0	0						
Wages to His Majesty's Dock and Rope Yards	918,000	0	0						
<i>GENERAL SERVICES, viz.</i>									
Bills of Exchange, Imprests, Salaries, Pensions, Marines, &c.	1,464,881	15	2						
Building of Ships, purchase of Stores of every description, repairing Ships, purchase of Ships taken from the Enemy, Head Money, &c. paid in Bills at ninety days date	4,126,291	15	1			9,521,173	10	3	
<i>VICTUALLING.</i>									
Provisions and all Sorts of Victualling Stores, paid for in Bills at ninety days date	4,442,731	11	1						
Bills of Exchange and Imprests	1,363,000	0	0						
General Services, viz. Necessary and Extra Necessary Money and Contingencies	234,000	0	0						
Widows Pensions	39,548	10	0			6,079,280	1	1	
<i>TRANSPORTS.</i>									
Freight of Transports, maintenance of Prisoners of War, and Expence of sick and wounded Seamen, paid for in Bills at ninety days date	2,538,225	3	6						
Bill of Exchange, and all Services paid for in ready Money..	402,000	0	0			3,940,225	3	6	
						£. 19,540,676	14	10	

APPENDIX (G).—Monies paid by the Office of ORDNANCE in the Year 1811, for Services
at Home and Abroad respectively.

For Services at Home	4,125,932	15	10	} £. 4,557,509	s. 8	d. 6
For Services Abroad	431,576	12	8			

APPENDIX (H).—Monies paid by the Right Hon. the Paymaster General of His Majesty's
FORCES, from 25th Dec. 1810 to 24th Dec. 1811.

	£.	s.	d.
PAY and Allowances of the Forces, Captains Allowances, Off- reckonings, Recruiting Bills drawn by and Remittances to Deputy Paymasters Abroad, and Militia and Veteran Clothing	8,563,557	0	0
Volunteers	218,964	0	0
Exchequer Fees	116,003	0	0
Pay of Offices	147,648	0	0
Commissary in Chief	1,638,260	0	0
Storekeeper General	49,400	0	0
Barracks	383,269	0	0
Staff and Garrisons	232,836	0	0
Half Pay	172,725	0	0
Compassionate List	15,039	0	0
Widows Pensions	42,500	0	0
Chelsea Hospital	403,744	0	0
Local Militia	696,100	0	0
Allowance to Chaplains	13,900	0	0
Medicines and Hospital Contingencies	60,000	0	0
Recruiting, &c.	761,740	0	0
Pay of Supernumerary Officers	31,390	0	0
Bar, Baggage, &c.	41,041	0	0
Contingencies	131,907	0	0
Extraordinaries, including Advances to Spain, &c. 2,702,747	0	0	12,818,943
Sicilian Subsidy	275,000	0	0
	275,000	0	275,000
Miscellaneous Payments	*2,977,747	0	0
			24,040
* Deduct the Amount of the Sums, these same being included under the Head of Loans, Remittances and Advances, &c. in Ap- pendix (I)			96,847,106
			2,977,747
			£. 23,869,359

APPENDIX (I).—An Account of LOANS, REMITTANCES and ADVANCES, to other Countries, in the Year ending the 5th Jan. 1812.

	£.	s.	d.	£.	s.	d.
There was remitted out of Supplies 1810 and 1811, to that part of the United Kingdom called Ireland,						
Out of Loans 1810 and 1811	4,328,042	15	3			
Out of Lotteries 1810	104,250	0	0			
				4,432,292	15	3
There was also issued out of Supplies 1810 and 1811,						
To complete £. 400,000 Sicilian Subsidy, 1810	75,000	0	0			
In part of £. 400,000 Do. 1811	200,000	0	0			
				275,000	0	0
In part of £. 2,000,000 granted for Portuguese Troops in 1811	1,832,168	4	10			
In part of £. 100,000 granted for Relief to the Inhabitants of Portugal	39,555	5	4			
				1,871,723	10	2
Estimated Value of Dollars advanced to the Spanish Government, by Mr. Wellesley				157,582	0	0
..... Ditto Stores sent to Spain and Portugal				673,441	9	10
				7,410,039	15	3

APPENDIX (K).—An Account, shewing how the Monies remaining in the Receipt of the EXCHEQUER on the 5th day of Jan. 1811, together with the Monies paid into the same during the Year ended the 5th day of Jan. 1812, have been actually applied; so far as relates to MISCELLANEOUS SERVICES.

SERVICES AT HOME.	£.	s.	d.
To the Governors of Queen Anne's Bounty for the Augmentation of the Maintenance of the Poor Clergy 1811	100,000	0	0
For defraying the Charges of the Royal Military College 1810, 11	58,500	0	0
Ditto of erecting Ditto at Sandhurst 1811	29,000	0	0
Ditto of the Royal Military Asylum 1810, 11	29,500	0	0
Ditto of the Royal Naval Asylum 1811	47,383	7	2
For Printing and Stationary for the two Houses of Parliament 1810	21,461	8	4½
For Reprinting Journals, Indexes, and Reports of the House of Commons 1806, 7, 8	11,140	10	4
For Printing and delivering Votes of the House of Commons, and for printing Bills, Reports, &c. 1810	20,232	4	0
For the Deficiency for the Grant for Do. Anno 1810, 11	104	6	3
For Printing Votes of the House of Commons 1811	1,799	8	4
For Salaries and Allowances of the Officers of the Houses of Lords and Commons, and Serjeant at Arms 1810, 11	1,880	0	0
For Stationary for the two Houses of Parliament 1811	2,256	9	4
For Printing for the Record Commissioners 1811	5,826	8	8
For Printing 1,250 Copies of the 40th, 41st, and 42nd Volumes of the Journals of the House of Peers 1811	4,163	2	0
For defraying Law Charges 1810, 11	25,000	0	0
For defraying the Expense of the Public Office Bow street 1810, 11	13,678	2	11
For confining, maintaining, and employing Convicts at Home 1810, 11	82,246	0	0
For defraying the Charge of the Superintendence of Aliens 1810, 11	7,841	12	11
For the Protestant Dissenting Ministers in England, and for the Relief of the Poor French Clergy and Laity 1810, 11	12,762	2	0
For the Poor of St. Martin's in the Fields, et al. 1810, 11	1,328	5	4
For the relief of the Suffering Clergy and Laity of France, Toulonaise, Dutch, and Corsican Emigrants, Saint Domingo Sufferers, and American Loyalists 1810, 11	168,980	5	4½
For defraying the Charge of the Works and Repairs of the Roads and Bridges in the Highlands of Scotland 1810	10,000	0	0
For the Expense of making an Inland Navigation from the Eastern to the Western Sea 1810, 11	70,000	0	0
For carrying on the Building of the New Mint 1809, 10, 11	22,656	12	11
Towards completing the New Marshalsea Prison 1810	4,500	0	0
For defraying the Expense of Works at the Old Marshalsea 1811	4,300	0	0

xxvii] **PARL. ACCOUNTS.—GREAT BRITAIN.—Public Expenditure.** [xxviii]

To make Compensation to Mr. Samuel Davis, for Rent and Losses which he sustained in consequence of the possession of the Old Marshalsea Prison having been withheld from him 1811	4,635	4	11
For the Purchase of Buildings, and for making Improvements in and near Palace Yard, Westminster 1810, 11	23,389	11	10
Towards rebuilding the Public Edifices destroyed by Fire at Trinidad 1810, 11....	28,000	0	0
Towards improving and securing Holyhead Harbour 1810, 11	10,000	0	0
To the Royal College of Surgeons, to enable them to complete the erection of a Museum and Theatre, with an appropriate Front, in Lincoln's Inn Fields 1810.....	4,500	0	0
Towards the Support of the Veterinary College 1810	1,000	0	0
To the extra Contingencies in the Offices of the three Secretaries of State, 1810, 11	19,000	0	0
For the extra Messengers of Ditto 1810	7,000	0	0
To the East India Company, on account of the Loan of £.1,500,000 authorized by an Act 50 Geo. 3, cap. 114, 1810	500,000	0	0
For defraying the extraordinary Expense of Prosecutions relating to Coin 1811	2,000	0	0
For the Deficiency of the Grant for Ditto 1810, 11	2,017	16	9
For Fees on passing Public Accounts 1811	5,000	0	0
To be paid to Sheriffs for Conviction of Felons and Over Payments 1811	8,000	0	0
For the Deficiency of the Grant for Ditto 1810, 11	3,435	0	0
To the Board of Agriculture 1811	4,800	0	0
For defraying the Bills of the Usher of the Court of Exchequer, for supply the Court and Offices with Stationery 1810, 11	2,115	13	5
....Ditto..... 1810, 11	1,399	14	7
To the Repairs of Henry the Seventh's Chapel 1811	3,000	0	0
To the Commissioners of the Military Enquiry 1811	10,500	0	0
To the Vaccine Establishment 1811	3,000	0	0
Towards completing the Repairs of the Criaan Canal 1811	5,000	0	0
For paying Bounties for taking and bringing Fish to the Cities of London and Westminster 1811	1,000	0	0
To pay off and discharge certain Annuities at the rate of £.5. per cent. per annum, granted per Acts 37th and 42d Geo. 3	113,416	13	11
To the Lottery Commissioners for the Incidental Expenses, &c. in preparing and drawing the Lotteries 1810, 11	8,000	0	0
To the Trustees of the British Museum 1811	7,999	19	8
For building Bridges over the Cree and Kenn 1811	6,207	0	0
For Works and Repairs of the Military Roads in North Britain 1811	5,856	5	0
For defraying the Expenses of the Two Houses of Parliament 1811	2,476	8	11
To the Chief Clerk in the Office of the Auditor of the Exchequer, for his extra trouble in preparing the Exchequer Bills pursuant to Act 43 Geo. 3, 1810, 11	500	0	0
For the Incidental Expenses attending the Acts for the Redemption of the Land Tax 1810	1,581	17	3
For the Expenses of the Office of the Commissioners for Reducing the National Debt 1810, 11	4,200	0	0
For the Expenses of the Office for issuing Commercial Exchequer Bills, per Act 51 Geo. 3, cap. 15, 1811	3,500	0	0
For the Expenses of the Office of American Commissioners 1811	140	0	0
To the Bank of England for Discount on prompt payments on Loan £. 12,000,000, 1810.....	11,418	10	0
.... Ditto	837	4	9
.... Ditto	67,964	0	9
.... Ditto	1,613	12	0
.... Ditto	9,600	0	0
.... Ditto	1,120	0	0
.... Ditto	3,985	0	9
.... Ditto	4,000	0	0
.... Ditto	369	9	6
For His Majesty's Foreign and other Secret Services—Vide Services Abroad.			

To replace to His Majesty's Civil List Revenues the Sums issued thereout, pursuant to Address of the House of Commons; viz.

Edward Colman, Esq. late Serjeant at Arms attending the House of Commons, on his Pension of £. 500 per annum, three quarters to 10th October 1810	375	0	0
John Caley, Esq. for Rewards to Pensions employed under the Commissioners of Public Records	5,743	17	3
Jeremiah Dyson, Esq. Clerk Assistant to the House of Commons, to make up his Allowance equal to £. 2,000 for his Services during Session 1810	702	18	4
John Clementson, Esq. Deputy Serjeant at Arms to the House of Commons, to make up his Allowance equal to £. 500 for his Attendance during Session 1810	210	18	0

xxix] **PARL. ACCOUNTS.—GREAT BRITAIN.—Public Expenditure.** [xxx]

George Whittam, Esq. for making an Index of the Votes in the House of Commons, in Session 1810	350	0	0
John Henry Ley, Esq. Second Clerk Assistant to the House of Commons, for his Services during the Session 1810	1,582	8	6
Henry Gunnell, Esq. et al. Compensation to sundry Officers of the House of Commons, for their Attendance on various Public Committees of that House ..	676	11	6
Mr. Charles Manning, being the first Instalment due to him under a Contract for erecting a Monument to the Memory of Captain Hardinge.....	538	3	6
Mr. John Bacon Do. of Sir John Moore	1,444	7	0

To make good to His Majesty's Civil List Revenues, Monies issued thereout for Public Services; viz.

To George Saunders, Esq. to discharge, in part, the outstanding Demands of Artificers, for Works done at Somerset-Place, under the Superintendence of James Wyatt, Esq.	17,000	0	0
To T. Nettleship, Esq. Clerk of the Grocers Company, for publishing the average Price of Brown or Muscovado Sugar, for one year to 1st October 1810	424	4	0
To Henry Dealtry, Esq. as a Remuneration for his Services as Clerk to the Commissioners for ascertaining the Saleable Offices in the Courts of Law	177	0	0
To Charles Groby and Francis William Barrow, for lighting the Lamps around the New Square in Palace Yard, Westminster, from 7th September 1807 to 2d June 1810	355	9	0
To William Chinnery, Esq. to make good the Deficiency of the Grant for the Year 1810, for defraying the Expense attending the confining, maintaining, and employing Convicts at Home	4,430	6	0
To Ditto to pay Bills drawn by T. Dumaresq and T. Le Briton, on account of certain Allowances granted them for their trouble, &c. in attending the Privy Council respecting the Island of Jersey	624	10	0
To Ditto, to be paid over to Captain Aberdown and others, for their Expences in attending the Committee of the House of Commons on the late Expedition to the Scheldt	927	13	0
To Ditto to discharge Messrs. Blanchard and Ramsay's Expences on the Holyhead Committee, in Session 1810	79	3	0
To John France, Esq. for his assistance in forming an Index to the Rolls of Parliament	428	15	0
To Edward Stracey, Esq. for his Services in attending as Counsel upon the Chairman of the Committees of the House of Peers during the Session 1810.....	1,582	9	0
To Thomas Brodie, Esq. for Salaries and other incidental Expences in forming the Index to the Journals of the House of Peers for one Year, to 5th July 1810....	1,151	8	0
To Ditto, for his trouble in forming an Index to the Journals of the House of Peers for one Year, to the 5th day of July 1810	533	14	0
To James Read, Esq. to defray Expences of the Establishment of the Horse Patrolle for the better Security of the Public Roads leading to the Metropolis, for three quarters of a Year, to 5th Jan. 1811.....	4,640	11	0
To Dr. Thomas Brooke Clarke, for his trouble and attendance in receiving and arranging the Returns of the Privy Council of the Non-resident Clergy, for one Year and Half, to 5th Jan. 1811	805	7	0
To William Watson, Esq. Serjeant at Arms, for his Services during Session 1810..	1,582	8	6
To William Chinnery, Esq. to pay Mr. Gurney's Expences on Committees of the Houses of Parliament in Session 1810	475	14	9
To Lord Walsingham, for his Services as Chairman of the Committees of the House of Peers, during the Session 1810	2,631	4	6
To John Clementson, Esq. Deputy Serjeant at Arms to the House of Commons, for one Year's Rent of a House, in lieu of Apartments he resigned at the House of Commons	219	14	0
To the Magistrates of the Thames Police, for further Expences incurred in carrying into effect a Plan for the better Security of the Shipping in the Port of London.	949	19	0
To Peter Grant, Esq. Secretary to the Commissioners of Military Enquiry, for defraying the Expences of the said Commission	1,248	14	0

SERVICES ABROAD.

Towards building a Lighthouse at Heligoland 1811	5,720	10	11
To pay Bills drawn from Sicily, for Allowances to Toulonese and Corsican Emigrants 1811	4,000	0	0
To pay Bills drawn on account of certain retired Dutch Officers 1811.....	7,471	7	0
To pay Bills drawn from Jersey, on account of French Emigrants	2,857	4	0
For His Majesty's Foreign and other Secret Services, 1810, 11	139,339	10	0
To pay Bills drawn from New South Wales 1810, 11.....	20,196	0	0

*An Account of the Progress made in the Redemption of the PUBLIC FUNDED DEBT OF GREAT BRITAIN,
at First of February 1812.*

PARL. ACCOUNTS.—GREAT BRITAIN.—Public Debt.

FUNDS.	CAPITALS.	Redeemed by the Commissioners from 1st August 1786, to 1st Feb. 1812.	TOTAL SUMS paid.	Average Price of Stocks.	SUMS Annually applicable to the Reduction of the NATIONAL DEBT.		ANNUITIES Fallen in since the 23d June 1802, or that will fall in hereafter.	
					£.	s. d.	£.	s. d.
Consol. 3 per cent. Anns. Do. pro 1807	587,566,558 4 5½ 8,400,000 0 0	71,106,754 2,339,367	44,495,995 14 8 62½ 1,543,417 12 11 66½	8 62½ 12 11 66½	Annual Charge, per 26 G. 3 Do. 43 do.	1,000,000 0 0 200,000 0 0	Eschequer Annuities, 2d and 3d Anne; expired 5th April 1803	23,369 13 4 7,030 6 8
Reduced 3 per Cent. Ann. Do. pro 1807	178,748,522 0 1 8,400,000 0 0	96,048,219 2,628,740	60,080,739 5 5 62½ 1,734,047 1 0 66	5 5 62½ 1 0 66	Ann. for 99 & 96 Y. ex. 1789 Do. for 10 Years..do. 1787. Life Annuities Unclaimed for 3 Years, at 5th Jan. 1812	54,888 14 6 25,000 0 0 30,569 17 0	Do. 5th Jan. 1803	23,354 11 6
Old South Sea Annuities. New...Do.....	24,065,084 13 11½ 1,919,600 0 0	8,609,000 868,000	6,013,796 10 6 69½ 634,138 0 0 71½	10 6 69½ 0 0 71½	Do. of which the Nominees shall have died prior to the 5th July 1802. Dividend on £.176,651,973 at 3 per cent.	21,141 6 1 5,298,959 3 9 7,100 0 0	Do. 4 Anne do. 5th April 1803	7,776 10 0
Consol. 4 per Cent. Ann. Do. 5 per Cent. do.....	68,837,321 2 2 77,731,223 13 7½ 1,279,000 0 0	7,796,400 142,000	6,586,934 8 9 84½ 126,998 7 6 89½	8 9 84½ 7 6 89½	Do. of which the Nominees shall have died prior to the 5th July 1802. Dividend on £.176,651,973 at 3 per cent.	21,141 6 1 5,298,959 3 9 7,100 0 0	Do. 5 Anne do. 5th April 1806	4,710 10 0
Do. pro 1807	1,723,287 3 7 1,000,000 0 0	— —	— —	— —	Do. on £.142,000 Navy, at 5 per cent. Do. on £.7,796,400 at 4 per cent.	10,181 0 0 418,333 0 11 1,140,602 12 0½	Do. 6 Anne do. 5th April 1807	10,181 0 0
5 per Cent. Annuities 1797 & 1802	771,370,396 17 10½ 23,941,057 6 7	189,538,480	121,205,387 0 9	—	Ann. of 1 per cent. on part of Capitals created since 1st Feb. 1793 to 1811 Annual Amount payable for Reduction of £.12,000,000 pro 1807	4,332,255 1 2½ 626,255 10 5 149,043 4 2	Do. Long do. will ex- pire 5th July 1860 ..	418,333 0 11
Transferred to the Commis- sioners by reason of Land Tax Redeemed	747,489,339 11 3½ 1,606,040 0 0	— —	— —	— —	Dividend on £.4,968,107 3 per Cent on do..... Do. on £.1,606,040 transferred for Purchase of Life Annuities, at 3 per ct.	48,181 4 0 12,105,242 1 1½	By an Act 32 Geo. III. cap. 71. such Annui- ties as fall in after passing that Act are no longer to be con- tinued in the Annual Charge thereof.	1,140,602 12 0½
Do. for the Purchase of Life Annuities, pursuant to Act 48th Geo. 3.	745,823,999 11 3½ 189,538,480 0 0	— —	— —	— —	Deduct Life Annuities granted on £.1,606,040 transferred to Commis- sioners	112,427 11 0 11,993,814 10 1½		
Redeemed by the Commis- sioners	556,284,819 11 3½	—	—	—				
DEBT Unredeemed at 1st February 1812,								

VI.—PUBLIC FUNDED DEBT.

PUBLIC FUNDED DEBT OF GREAT BRITAIN, *as the same stood on the 1st of February 1812.*

TOTAL DEBT UNREDEEMED.		£.	s.	d.	£.	s.	d.
At 3 per Cent.							
Bank of England, and Annuities 1726		12,686,800	0	0			
South Sea Old and New Annuities, 1751		16,507,684	13	11½			
Consolidated Annuities		341,489,516	11	9½			
Reduced Annuities		97,562,377	0	7			
At 4 per Cent.							
Consolidated Annuities		66,115,296	2	2			
At 5 per Cent.							
Consolidated Annuities		79,433,223	13	7½			
Annuities, 1797 and 1802		1,723,287	3	7			
Total CAPITALS					615,518,185	5	8½
Annual Interest		20,749,828	14	7½			
Annuities for Lives, or for Terms of Years		1,540,257	19	1½			
Charges of Management		234,254	3	9			
Annuities fallen in, or dead; grants of Parliament, and Annuity of 1 per cent. on part of Capitals created since Jan. 1793		13,084,274	3	11			
Total CHARGE for DEBT payable in GREAT BRITAIN.					35,608,615	1	5

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT and DEMANDS OUTSTANDING on the 5th Day of January 1812.

EXCHEQUER BILLS:		Amount Outstanding.	
Under what Acts issued.	On what Funds charged.	£.	s. d.
48 Geo. III. cap. 3. - - Supplies - - - - -		3,000,000	0 0
Ditto cap. 53. - - Ditto - - - - -		3,000,000	0 0
50 Geo. III. cap. 69. - - Supplies 1811 - - - - -		1,775,600	0 0
Ditto cap. 113. - - Ditto - - - - -		2,135,200	0 0
51 Geo. III. cap. 2. - - Malt and Personal Estates 1811		584,000	0 0
Ditto cap. 3. - - Supplies 1812 - - - - -		10,500,000	0 0
Ditto cap. 4. - - Ditto - - - - -		1,500,000	0 0
Ditto cap. 53. - - Ditto - - - - -		6,000,000	0 0
Ditto cap. 85. - - Ditto - 1811 - - - - -		11,235,000	0 0
Ditto cap. 112. - - Ditto - 1812 - - - - -		1,762,000	0 0
TREASURY:			
Miscellaneous Services		550,307	14 4
Warrants for Army Services		17,522	14 1
Treasury Bills accepted previous to and on 5th Jan. 1812, due subsequent to that day		1,143,138	14 3½
ARMY:			
Ordinary Services		1,517,003	0 0
Extraordinary Services		Nil	
Barracks		-	-
Ordnance		-	-
Navy		-	-
Civil List Advances		-	-
		£. 54,038,059	14 8½

VIII.—DISPOSITION OF GRANTS.

An Account, shewing how the MONIES, given for the SERVICE of the Year 1811, have been disposed of; so far as relates to GREAT BRITAIN.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.			Remains to be Paid.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Navy	20,276,144	10	0	20,276,144	10	0			
Ordnance	4,539,228	10	4	4,089,750	0	0	449,478	10	4
Forces	17,848,162	2	5	17,848,162	2	5			
Vote of Credit	3,000,000	0	0	2,000,000	0	0			
To his Sicilian Majesty, for the Year 1811.	400,000	0	0	239,400	0	0	160,600	0	0
To continue to maintain a Body of Portuguese Troops, and to give further Aid and Assistance to the Government of Portugal	2,000,000	0	0	2,000,000	0	0			
To make good the Sum issued by his Majesty's Orders, pursuant to Addresses of the House of Commons, and which has not been made good by Parliament	11,632	4	3	11,632	4	3			
Civil Establishments	3,050,610	2	8	2,753,981	16	7½	296,628	6	0½
	£. 51,125,777	9	8	50,219,070	13	3½	906,706	16	4½

Payments for other Services, not being part of the Supplies granted for the Services of the Year £. 154,252 6 10

WAYS and MEANS for answering the foregoing SERVICES.

	£.	s.	d.
Duties on Pensions, Offices, and Personal Estates, and on Pensions, &c. continued	3,000,000	0	0
Surplus Consolidated Fund, at 5th January and 5th April 1811, after satisfying £. 4,400,000 granted for the Service of the Year 1810	1,353,715	10	1
Estimated Surplus of Consolidated Fund to 5th April 1812	5,000,000	0	0
War Taxes	20,000,000	0	0
Estimated Profits of Lotteries	230,000	0	0
Loan per Act 51 Geo. 3, cap. 26	4,981,300	0	0
Ditto per Act 51 Geo. 3, cap. 49, part of £. 12,000,000, the remainder being for the Service of Ireland	7,500,000	0	0
Monies arisen from the Sale of Old Naval and Victualling Stores	420,364	0	0
Surplus of Exchequer Bills granted per Acts 51 Geo. 3, cap. 3. 53. and 112, to pay off other Bills issued in 1810, but which were funded pursuant to Act 51 Geo. 3, c. 16'	4,214,000	0	0
War Taxes, 1810, being the amount of Exchequer Bills charged on the Aids of that Year, subscribed to be funded pursuant to said Act	2,804,700	0	0
	49,504,079	10	1
Total Sum granted, as per preceding Account	51,125,777	9	8
Paid for Services not voted	154,252	6	10
	51,280,029	16	6
Amount of Ways and Means, as per Do	49,504,079	10	1
Deficiency of Ways and Means	1,775,950	6	5

Note.—When the proportion of Ireland's Contribution of 2-17ths to the General Expenditure of the United Kingdom, shall be ascertained, it will be applied in Aid of this Deficiency.

FINANCE ACCOUNTS OF IRELAND,

FOR THE

YEAR ENDED FIFTH OF JANUARY, 1812.

I.—PUBLIC INCOME

HEADS OF REVENUE.	Gross Receipt within the Year.			Total Receipt to be Accounted for.			Re-payments, Drawbacks, Discounts, &c.			Charges of Management.		
<i>Ordinary Revenue.</i>	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	2,420,425	17	9½	2,533,624	16	8	115,836	4	9½	418,475	5	2½
Excise	2,244,661	1	2	3,004,984	11	2½	165,719	12	2½	323,481	17	7½
Stamps	743,619	2	1½	887,675	8	5½	12,437	5	1½	46,030	0	0½
Post Office	205,265	19	5	238,880	17	6½	17,583	11	3½	110,095	18	4
Poundage Fees	25,370	14	2½	25,370	14	2½	-	-	-	-	-	-
Polls Fees	5,074	2	1½	5,074	2	1½	-	-	-	-	-	-
Casualties	2,926	19	3½	2,926	19	3½	-	-	-	-	-	-
Total Ordinary Revenue ..	5,647,343	16	1	6,698,537	9	5½	311,576	14	2½	898,073	1	3½
<i>Extraordinary Resources.</i>												
Gain by Exchange on account of Advances for Seamen's Wages; for Half Pay to reduced Officers, Officers Widows, &c. and From Great Britain, being ⅓ of Profit on Lotteries 1810	181,412	4	11½	181,412	4	11½	-	-	-	-	-	-
County Treasurers on account of Fines levied on Parishes for deficiencies in Militia	2,872	6	2½	2,872	6	2½	-	-	-	-	-	-
From ditto on account of Advances made by the Treasury for improving Post Roads	14,913	4	9½	14,913	4	9½	-	-	-	-	-	-
Treasurer of the County of Cavan, on account of advances for a new Gaol ..	916	13	9	916	13	9	-	-	-	-	-	-
Great Britain in part of £.4,500,000 British, for Ireland	2,780,353	0	10	2,780,353	0	10	-	-	-	-	-	-
Other Monies paid to the Public	8,876	12	10½	8,876	12	10½	-	-	-	-	-	-
<i>Appropriated Levies for Local Objects.</i>												
Linen Manufacture	88	18	2	189	7	4	-	-	-	-	-	-
Improvement of Dublin ..	10,216	15	10	10,266	17	2	-	-	-	-	-	-
Repairs of the Royal Exchange and Commercial Buildings	1,843	17	6	2,236	0	2	-	-	-	-	-	-
Lagan Navigation	5,624	10	4	6,217	7	3½	1,801	12	8	191	2	10
Inns of Court	1,391	0	0	1,391	0	0	-	-	-	-	-	-
Lighthouses	18,262	18	5	18,262	18	5	-	-	-	-	-	-
Totals independent of the Loans	8,665,239	6	10½	9,717,568	10	3½	313,378	6	10½	898,264	4	1½
Loans paid into the Exchequer, in the year ended the 5th of January 1812.	3,127,246	6	6½	3,127,246	6	6½	-	-	-	-	-	-
Grand Total	11,792,485	13	4½	12,844,814	16	10½	313,378	6	10½	898,264	4	1½

CLASS	CLASS
I. PUBLIC INCOME.....p. xxxix—xlii	V. PUBLIC EXPENDITURE...xlvi—liv
II. CONSOLIDATED FUND.....xliii, xliv	VI. PUBLIC FUNDED DEBT.....lv, lvi
III. ARREARS AND BALANCES.....xlv	VII. UNFUNDED DEBT.....lvii
IV. TRADE AND NAVIGATIONxlvi	VIII. DISPOSITION OF GRANTS lviii—lxiv

OF IRELAND.

Total Payments out of the Gross Revenue.	Net Produce, applicable to National Objects and to Payments into the Exchequer.	Payments on Ac- count of Militia, Deserters, Strag- gling Seamen, Army of Reserve, and Fortification Compensation.	Bounties for promoting the Fisheries, Linen Manufacture, &c.	Total Payments out of the Net Produce.	Payments into the Exchequer.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
534,311 10 0 $\frac{1}{2}$	1,999,313 6 8	4 11 0	20,236 15 7	20,241 6 7	1,790,177 0 6 $\frac{1}{2}$
489,201 9 10 $\frac{1}{2}$	2,515,783 1 3 $\frac{1}{2}$	92,000 18 5 $\frac{1}{2}$	37,973 14 7	129,974 13 0 $\frac{1}{2}$	1,599,137 6 10
58,457 6 0 $\frac{1}{2}$	829,218 2 5 $\frac{1}{2}$	- - -	- - -	- - -	664,554 5 2
127,679 9 7 $\frac{1}{2}$	111,201 7 11	- - -	- - -	- - -	84,000 0 0
- - -	25,370 14 2 $\frac{1}{2}$	- - -	- - -	- - -	25,370 14 2 $\frac{1}{2}$
- - -	5,074 2 1 $\frac{1}{2}$	- - -	- - -	- - -	5,074 2 1 $\frac{1}{2}$
- - -	2,929 19 3 $\frac{1}{2}$	- - -	- - -	- - -	2,926 19 3 $\frac{1}{2}$
1,209,649 15 6	5,488,887 13 11 $\frac{1}{2}$	92,005 9 5 $\frac{1}{2}$	58,210 10 2	150,215 19 7 $\frac{1}{2}$	4,171,240 8 1 $\frac{1}{2}$
- - -	181,412 4 11 $\frac{1}{2}$	- - -	- - -	- - -	181,412 4 11 $\frac{1}{2}$
- - -	2,872 6 2 $\frac{1}{2}$	- - -	- - -	- - -	2,872 6 2 $\frac{1}{2}$
- - -	14,913 4 9 $\frac{1}{2}$	- - -	- - -	- - -	13,944 18 4 $\frac{1}{2}$
- - -	916 13 9	- - -	- - -	- - -	- - -
- - -	2,780,353 0 10	- - -	- - -	- - -	2,780,353 0 10
- - -	8,876 12 10 $\frac{1}{2}$	- - -	- - -	- - -	8,876 12 10 $\frac{1}{2}$
- - -	189 7 4	- - -	- - -	- - -	189 7 4
- - -	10,266 17 2	- - -	- - -	- - -	10,130 0 0
- - -	2,236 0 2	- - -	- - -	- - -	1,830 0 0
1,992 15 6	4,224 11 9 $\frac{1}{2}$	- - -	- - -	- - -	2,900 0 0
- - -	1,391 0 0	- - -	- - -	- - -	1,391 0 0
- - -	15,262 18 5	- - -	- - -	- - -	16,352 8 5 $\frac{1}{2}$
1,211,642 11 0	8,505,925 19 2 $\frac{1}{2}$	92,005 9 5 $\frac{1}{2}$	58,210 10 2	150,215 19 7 $\frac{1}{2}$	7,182,615 14 3 $\frac{1}{2}$
- - -	3,127,246 6 6 $\frac{1}{2}$	- - -	- - -	- - -	3,127,246 6 6 $\frac{1}{2}$
1,211,642 11 0	11,633,172 5 10 $\frac{1}{2}$	92,005 9 5 $\frac{1}{2}$	58,210 10 2	150,215 19 7 $\frac{1}{2}$	10,309,862 0 9 $\frac{1}{2}$

II.—CONSOLIDATED FUND.

INCOME.	INCOME.		EXPENDITURE.	ACTUAL PAYMENTS.		CHARGE.	
	£.	s. d.		£.	s. d.	£.	s. d.
Balance on the Consolidated Fund remaining in the Exchequer, on the 5th January 1811	260,964	2 6½	Interest on Funded Debt, including Annuities and Management	3,481,987	17 1½	3,481,987	17 1½
Custom and Excise Duties, including Quit Rents and Payments on account of dismissed and deceased Collectors	3,389,314	7 4½	Interest on Unfunded Debt	18,451	5 0	18,464	7 11
Stamp Duties	664,554	5 2	Sinking Fund and Management	997,699	11 2	997,699	11 2
Post Office Revenue	84,000	0 0	Principal of Debentures	-	-	2,925	0 0
Poundage Fee	25,370	14 2½	Lottery Prizes	50	0 0	358	6 8
Polls Fee	5,074	2 1½	Principal of Exchequer Bills	65	0 0	26,064	0 0
Repayment, from Great Britain, for advances for Seamen's Wages, Half-pay to reduced Officers, Pensions to Officers Widows, &c. on the British Establishment	4,439,977	11 4½	Lottery Prizes	17,338	0 1½	17,338	0 1½
Fines levied on Parishes for deficiencies in their proportion of Men for the Militia	55,557	1 4	Discount on Prompt Payment of Loan Deposits, &c.	10,309	5 6½	10,309	5 6½
On account of Advances made for improving Post Roads	2,872	6 2½	Inland Navigation	33,459	4 5	33,459	4 5
Gain by Exchange on Sums received from Great Britain	13,944	18 4½	Board of First Fruits	59,673	12 9	59,673	12 9
Other Monies paid to the Public	4,041	0 9	Improving Post Roads	42	12 5½	42	12 5½
EXTRAORDINARY RESOURCES.	11,803	12 1½	Relief of Loyalists	473	10 0	473	10 0
On account of Loans	3,127,946	6 6½	Repayment of Money levied by order of the British Exchequer	1,587,083	6 8	1,587,083	6 8
From Great Britain, in part of £4,500,000 British, for the Public Services in Ireland, for 1811	2,780,353	0 10	On account of Balance on Contribution Account to 5th January 1811	6,206,553	5 3	6,335,077	14 10
On Exchequer Bills	1,439,666	13 4	Civil List	141,615	12 2½	Unascertained.	
From Great Britain, being ½ of the profit on the Lotteries for 1810	119,937	10 0	Pensions	87,842	0 9		
			Permanent Parliament Payments	219,078	3 2½		
			Grants for Military purposes	3,669,884	15 5½	Unascertained.	
			Vote of Credit	179,568	3 2½		
			Grants for Civil purposes	684,678	4 9		
			SURPLUS of Consolidated Fund on 5th Jan. 1812.	11,182,133	4 10½	Unascertained.	
				788,566	15 11½		
				11,970,700	0 10½		

V. PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest on the Funded Debt of Ireland, including Annuities for Lives and Terms of Years; also £.1 per Cent. for the Reduction of the Capital created by Loans since 1797, (A. 1 & 2.)	4,391,264	10	0						
For Charge of Management thereon.....	-	-	-	20,687	9	11½			
There was also applied towards the Reduction of the National Debt	67,635	8	4						
	4,458,899	18	4						
Whereof was applied towards the Reduction of the National Debt	1,430,800	18	7½						
Total on account of Interest.....	3,028,098	19	8½						
Ditto, for Charge of Management	20,687	9	11½						
Ditto, on account of the Reduction of the National Debt	1,430,800	18	7½						
II. Interest on Exchequer Bills (B.)	-	-	-	-	-	-	4,479,587	8	3½
III. Issues for the separate service of Ireland (C.)	-	-	-	-	-	-	18,451	5	0
IV. Issues from Appropriated Funds for Local Purposes (D.)	-	-	-	-	-	-	1,664,725	1	11½
V. { Civil List	141,615	12	2½				28,276	13	7
Pensions	87,842	0	9						
Other Permanent Charges (E.)	219,078	3	2½						
				448,335	16	2½			
VI. Payments in Anticipation of Exchequer Receipt: (F. 1 & 2.) viz.									
Bounties from Customs.....	20,236	15	7						
Bounties from Excise	37,973	14	7						
Militia, and Deserters Warrants, &c.....	92,005	9	5½						
				150,215	19	7½			
VII. Ordnance (G)	-	-	-	512,579	7	1			
VIII. Army, (H.) Ordinary Service; viz.									
Regulars, Militia, and Volunteer Corps, &c.	2,052,625	18	7½						
Commissariat Establishment	227,405	4	7½						
Barracks	442,885	2	0½						
Staff Officers and Officers of Garrisons	85,885	5	2½						
Half Pay, Supernumerary, and retired Officers	28,647	6	8½						
Officers Widows	5,431	4	1½						
Royal Hospital, Kilmainham	76,544	13	1½						
Public Officers, their Deputies, Clerks, and Contingent Expenses	17,327	9	11½						
Superannuated Officers	3,830	15	10½						
	2,940,583	0	3						
Extraordinary Service	216,662	8	1½						
				3,157,245	8	4½			
IX. Miscellaneous Services, (I.)	-	-	-	728,440	14	8½			
Lastly, Vote of Credit, (K.).....	-	-	-	172,568	3	2½			
							5,169,585	9	3½
				Total....			11,360,625	18	1½

(A. 1.)—MONIES paid out of the Receipt of the Exchequer, in the Year ending the 5th Jan. 1812, towards defraying the Charge of the PUBLIC FUNDED DEBT of IRELAND.

	Interest and Annuities for Lives and Terms of Years, &c.			Charge of Management.		
	£.	s.	d.	£.	s.	d.
Interest, &c. on the Public Funded Debt of Ireland	4,391,264	10	0	20,687	9	11½
	20,687	9	11½			
Annual Issue for the Reduction of the National Debt	4,411,951	19	11½			
	67,635	8	4			
	4,479,587	8	3½			

(A. 2.)—Total Amount of the Sums actually received by the Commissioners for the Reduction of the NATIONAL DEBT, in the Year ending 5th Jan. 1812.

	In Great Britain.			In Ireland.		
	£.	s.	d.	£.	s.	d.
Annual Issue				67,635	8	4
Expired Annuities				52,042	13	8
Appropriation of 1 per Cent. per Annum on Loans since 1797	673,369	6	6	203,962	2	9
	673,369	6	6	323,640	4	9
Interest on Debt of Ireland redeemed	262,023	1	0½	171,768	6	4
	935,392	7	6½	495,408	11	1
	495,408	11	1			
	1,430,800	18	7½			

(B.)—Interest on EXCHEQUER BILLS, with the Payments made in the Year from the 5th Jan. 1811 to the 5th Jan. 1812.

	£.	s.	d.
There remained Interest on Exchequer Bills unclaimed on 5th January 1811....	17	10	5
Charge for Interest at 5 per Cent.			
On £. 114,062 10s. 0d. from 25th Sept. 1810 to 25th Sept. 1811	5,703	2	6
On £. 216,000 from 25th March 1811 to 25th Sept. 1811	5,400	0	0
On £. 293,750 from 25th March 1811 to 25 Sept. 1811	7,343	15	0
	18,464	7	11
Deduct Interest unclaimed on the 5th January 1812	13	2	11
Total Payments for Interest on Exchequer Bills, in the Year to 5th January 1812	18,451	5	0

(C.)—Payments made in the Year ending the 5th of January 1812, for the separate Service of IRELAND.

	£.	s.	d.
For Relief of suffering Loyalists	42	12	5½
Improving Post Roads	59,673	12	9
Repayment of Money levied by order of the British Court of Exchequer	472	10	0
On account of Balance due by Ireland, on joint Expenditure of the United Kingdom to the 5th January 1811	1,587,083	6	8
Lottery Prizes	65	0	0
Principal of Exchequer Bill, payable 25th March 1803	50	0	0
Discount on prompt payment of Loan Deposits, &c.	17,338	0	1½
	1,664,725	1	11½

V. PUBLIC EXPENDITURE.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For Interest on the Funded Debt of Ireland, including Annuities for Lives and Terms of Years; also £.1 per Cent. for the Reduction of the Capital created by Loans since 1797, (A. 1 & 2.)	4,391,264	10	0						
For Charge of Management thereon	-	-	-	20,687	9	11½			
There was also applied towards the Reduction of the National Debt	67,635	8	4						
	4,458,899	18	4						
Whereof was applied towards the Reduction of the National Debt	1,430,800	18	7½						
Total on account of Interest	3,028,098	19	8½						
Ditto, for Charge of Management	20,687	9	11½						
Ditto, on account of the Reduction of the National Debt	1,430,800	18	7½						
II. Interest on Exchequer Bills (B.)	-	-	-	-	-	-	4,479,587	8	3½
III. Issues for the separate service of Ireland (C.)	-	-	-	-	-	-	18,451	5	0
IV. Issues from Appropriated Funds for Local Purposes (D.)	-	-	-	-	-	-	1,664,725	1	11½
V. { Civil List	141,615	12	2½				28,276	13	7
Pensions	87,842	0	9						
Other Permanent Charges (E.)	219,078	3	2½						
				448,535	16	2½			
VI. Payments in Anticipation of Exchequer Receipt: (F. 1 & 2.) viz.									
Bounties from Customs	20,236	15	7						
Bounties from Excise	37,973	14	7						
Militia, and Deserters Warrants, &c.	92,005	9	5½						
				150,215	19	7½			
VII. Ordnance (G)	-	-	-	512,579	7	1			
VIII. Army, (H.) Ordinary Service; viz.									
Regulars, Militia, and Volunteer Corps, &c.	2,052,625	18	7½						
Commissariat Establishment	227,405	4	7½						
Barracks	442,885	2	0½						
Staff Officers and Officers of Garrisons	85,885	5	2½						
Half Pay, Supernumerary, and retired Officers	28,617	6	8½						
Officers Widows	5,431	4	1½						
Royal Hospital, Kilmainham	76,544	13	1½						
Public Officers, their Deputies, Clerks, and Contingent Expenses	17,327	9	11½						
Superannuated Officers	3,830	15	10½						
	2,940,583	0	3						
Extraordinary Service	216,662	8	1½						
				3,157,245					
IX. Miscellaneous Services, (I.)	-	-	-	728,440					
Lastly, Vote of Credit, (K.)	-	-	-	178,500					

(D.)—*Payments made from the FUNDS appropriated for Local Purposes in IRELAND, from the 5th Jan. 1811 to 5th Jan. 1812.*

	£.	s.	d.
Lagan Navigation	2,909	0	0
Improving Dublin	10,928	8	9
King's Inns	803	16	8
Royal Exchange and Commercial Buildings	1,735	10	0
Light House Duties	11,908	18	2
	28,276	13	7

(E.)—*Payments made in the Year to the 5th of January 1812, under the several Heads of Civil List, Pensions, and other permanent Charges.*

	£.	s.	d.	£.	s.	d.
Arrear on Civil List on the 5th January 1811	99,566	13	10½			
Charge for one Year to 25th December 1811	145,090	0	0			
	174,566	13	10½			
Deduct Arrear on the 5th January 1812	32,951	1	8			
Issued for the Civil List, in one Year to the 5th January 1812	-	-	-	141,615	12	2½
Pensions	-	-	-	87,842	0	9
Other Permanent Charges, viz.						
Public Infirmeries	3,400	0	0			
Public Coal Yards	1,762	1	2½			
Army Baggage	9,167	3	3			
Police Establishment	15,909	15	11			
Inspector General of Prisoners, &c.	16,887	0	10½			
Transportation of Felons	5,580	16	2			
Fees on Auditing Treasury Accounts	1,304	12	9			
Imprest Office	2,600	0	0			
Secret Service in detecting Treasonable Conspiracies	12,371	2	8			
Annuities and Compensation Allowances	97,283	9	10			
Judges additional Salaries, &c.	37,637	13	5			
Commission of Inquiry	1,500	0	0			
Board of Education	300	0	0			
Lord Lieutenant's additional Salary for two Years to 25th December 1811, (with £.6,625. 12s. 8d. the amount unappropriated on the Civil List, from 25th March 1809 to 24th June 1811	13,374	7	4			
				219,078	3	2½
				448,535	16	2½

(F. 1.)—*Amount of BOUNTIES paid out of the Public Revenue of Customs, in the Year ending the 5th of January 1812, being Payments in the nature of Anticipation of Exchequer Receipts.*

	£.	s.	d.
On Coarse Linen and Canvas exported	8,197	7	8½
Beef and Pork exported	4,412	3	2½
Irish Fish Oil	61	3	4
Bark imported	128	18	14
Foreign Fish imported	3,388	10	3
Fishing Vessels	4,129	0	2
Irish Coals brought Coastways to Dublin	19	18	0
	90,236	15	7
Rewards for straggling Seamen	4	11	0
	90,241	6	7

(F. 2.)—Amount of Payments out of the Revenue of Excise for BOUNTIES, MILITIA, ARMY of RESERVE, DESERTERS WARRANTS, &c. in the Year ending the 5th of January 1812, being Payments in the nature of Anticipation of Exchequer Receipts.

	£.	s.	d.
Bounties to Spirit Retailers on the Sale of Malt Liquors	37,973	14	7
Payments for Militia	89,327	8	6½
..... Army of Reserve	781	6	5
..... Deserters Warrants	879	0	0
..... Fortifications	1,013	3	6
	129,974	13	0½

(G.)—Monies paid to the Office of ORDNANCE, in the Year to the 5th January 1812.

	£.	s.	d.
For the Charge of the Office of Ordnance	496,119	9	5
On account of Pay of retired Officers of the late Irish Artillery, and Pensions to Widows of deceased Officers of the same	13,526	0	0
Superannuated and retired Allowances to Persons late belonging to the Office of Ordnance in Ireland	2,933	17	8
	512,579	7	1

(H.)—Monies paid on Account of His Majesty's FORCES in IRELAND, in the Year ending the 5th January 1812.

	£.	s.	d.	£.	s.	d.
Regiments of the Line and Foreign Corps	872,796	14	7½			
Militia	987,449	17	4			
Volunteer Corps	175,008	1	2½			
Military Hospitals	8,536	0	5½			
Royal Military Infirmary	7,907	10	7½			
Officiating Clergymen and retired Chaplains	927	14	4½			
				2,052,625	18	7½
Commissariat Establishment				227,405	4	7½
Barracks				442,885	2	0½
Staff Officers and Officers of Garrisons				85,885	5	2½
Half Pay Supernumerary and retired Officers				28,647	6	8½
Officers Widows				5,431	4	1½
Royal Hospital near Kilmalsham				76,544	13	1½
Public Officers, their Deputies, Clerks, and Contingent Expences				17,327	9	11½
Superannuated Officers				3,830	15	10½
				2,940,583	0	3
Extraordinary Service				216,662	8	1½
				3,157,245	8	4½

(I.)—Payments in the Year ending the 5th of January 1812 for MISCELLANEOUS SERVICES.

	£.	s.	d.
Public Officers for several Services	1,200	0	0
Public Hospitals and Schools	182,768	0	0
Miscellaneous Services	161,084	4	9
Public Boards	105,620	0	0
Inland Navigations	10,309	5	6½
Board of First Fruits, pursuant to 47 and 48 Geo. 3, ch. 23 and 103	33,439	4	5
For Works at Howth Harbour, to complete £. 35,000 granted by 50 Geo. 3. c. 115	10,000	0	0
Commissioners for draining Bogs, to complete £. 12,000 granted by Ditto	3,000	0	0
For erection of a Pier at Ardglass, in further part of £. 15,883 16s. 8d. granted by do.	5,000	0	0
For purchase of Prizage and Butlerage of Wines, pursuant to 50 Geo. 3, c. 101	216,000	0	0
	728,440	14	8½

(K.)—Payments from the VOTE of CREDIT in the Year ending 5th Jan. 1812.

Amount of Payments from the Vote of Credit	£. 179,568	3	2½
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(D.)—*Payments made from the Funds appropriated for Local /
the 5th Jan. 1811 to 5th Jan. 1812.*

continued from p. 118

Lagan Navigation	£. s. d.	2,909 0
Improving Dublin	10,928 8	
King's Inns	903 16	
Royal Exchange and Commercial Buildings	1,725 10	
Light House Duties	11,908 18	
	£8,976 13	

(E.)—*Payments made in the Year to the 5th of January 1812, under the several Heads of Civil List, Pensions, and other permanent Charges.*

	£.	s.	d.	£.
Arrear on Civil List on the 5th January 1811	29,566	13	10½	
Charge for one Year to 25th December 1811	145,090	0	0	
	174,566	13	10½	
Deduct Arrear on the 5th January 1812	32,951	1	8	
Issued for the Civil List, in one Year to the 5th January 1812	-	-	-	141,615
Pensions	-	-	-	37,892
Other Permanent Charges, viz.				
Public Works	3,400	0	0	
Public Buildings	1,762	1	2½	
Arms	9,167	3	3	
Provisions	15,909	15	11	
Expenses of Prisoners, &c.	16,887	0	10½	
Expenses of Felons	5,580	16	2	
Expenses of Treasurers Accounts	1,304	13	9	
Expenses of the Office	2,600	0	0	
Expenses in detecting Treasonable Conspiracies	12,371	2	8	
Expenses and Compensation Allowances	97,283	9	10	
Expenses of Judicial Salaries, &c.	37,637	13	3	
Expenses of Inquiry	1,500	0	0	
	100	0	0	
for two Years				

VI.—PUBLIC FUNDED DEBT.

PUBLIC FUNDED DEBT OF IRELAND, as the same stood on the 5th of January 1812.

	British Currency.		Irish Currency.	
	£.	s. d.	£.	s. d.
Sums raised	67,183,850	2 11		
PAYABLE IN DUBLIN :				
£.3 10s. per Cent. per Annum	-	-	11,180,972	17 1
£.4 per Cent. per Annum	-	-	227,600	0 0
£.5 per Cent. per Annum	-	-	12,882,648	11 3
PAYABLE IN LONDON.				
£.5 per Cent. per Annum	1,900,000	0 0	2,058,333	6 8
£.3 per Cent. Consolidated Annuities	30,799,125	0 0	33,365,718	15 0
£.3 per Cent. Reduced Annuities	21,848,750	0 0	26,919,479	3 4
£.4 per Cent. Consolidated Annuities	5,054,375	0 0	5,475,572	18 4
£.5 per Cent. Consolidated Navy Annuities.....	572,000	0 0	619,666	13 4
ANNUAL CHARGE.				
Annual Interest	3,206,049	6 8		
Annuities on Lives or Terms of Years	179,781	18 10		
Pursuant to Act of 37 Geo. 3. for Redemption of Debt then existing	121,678	2 0		
By Acts providing 1 per Cent. for Redemption of Debts created since 1797	877,345	1 10½	Total Principal	
Total of Annual Expenses....	4,405,541	19 4	92,729,992	5 0

An Account of the Progress made in the REDUCTION of the PUBLIC FUNDED DEBT of IRELAND, to the 5th of January 1812.

Stock Redeemed by Sinking Fund.	Total Sums Paid.
£. s. d.	£. s. d.
4,612,186 12 6½	3,709,105 4 6

Sums Annually applicable in Ireland to the REDUCTION of the NATIONAL DEBT,

Annual Income of each Loan.	Annual Interest on Stock Redeemed.
£. s. d.	£. s. d.
325,640 4 9	198,656 17 9

At the Establishment of the Sinking Fund, £. 100,000 per Annum was granted for the then existing Debt;—£. 32,364 11s. 8d. of which was appropriated to the Reduction of Money borrowed for Ireland, by the government of Great Britain, in the year 1797; and £. 67,635. 8s. 4d. with £. 54,042. 13s. 8d. per Annum expired Annuities, which fell in afterwards, to Remainder of the Debt due by Ireland, prior to the year 1797, without any References to the Amount.

The Money borrowed for Ireland by the government of Great Britain is not included in the above Statement, being settled for in England by the Lords of the Treasury of Ireland, and can only be procured from the Commissioners for reducing the National Debt of England.

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT of IRELAND, and DEMANDS OUTSTANDING on the 5th Day of January 1812.

LOAN DEBENTURES:		£.	s.	d.	£.	s.	d.
Residue of Debentures bearing £. 4 per Cent, Interest to the Year 1788, provided for by the 27 and 28 Geo. 3, but unclaimed by the Proprietors; viz.							
Old Loan		275	0	0			
Loan by Lottery 1780.....		1,220	0	0			
Loan by Lottery 1781		730	0	0			
					(a)	2,225	0 0
EXCHEQUER BILLS:							
Outstanding Exchequer Bills, provided for by several Acts of Parliament, but not claimed by the Proprietors; viz.							
Payable 24 June 1783		8	6	8			
- - - Ditto 1790		50	0	0			
- - - Ditto 1791		100	0	0			
- - - Ditto 1801		50	0	0			
- - - 25 March 1803		100	0	0			
					(a)	308	6 8
Exchequer Bills, not in course of payment:							
Issued, pursuant to 49 Geo. 3, c. 78. payable 25 March 1813		114,062	10	0			
50 Geo. 3, c. 101. payable 25 March 1813		216,000	0	0			
51 Geo. 3, c. 22. payable 25 March 1815		293,750	0	0			
51 Geo. 3, c. 88. payable 30 Sept. 1812.		216,666	15	4			
51 Geo. 3, c. 5. payable on or before 24 December 1812		1,000,000	0	0			
					(b)	1,840,479	3 4
LOTTERY PRIZES.							
Outstanding Lottery Prizes of the several Lotteries from 1782 to 1801	Total				(a)	25,999	0 0
						1,869,011	10 0

(a) Provision has been made for these sums by several Acts of Parliament.

(b) To be provided for.

VIII.—DISPOSITION OF GRANTS.

An Account, shewing how the MONIES, given for the SERVICE of the Year 1811, have been disposed of; so far as relates to IRELAND; stated in Irish Currency.

SERVICE.	SUMS Granted.			SUMS Paid.			REMAINS.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Forces	3,725,412	11	8½	3,157,245	8	4½	568,167	3	4
Ordnance	512,579	7	1	512,579	7	1			
Public Officers for several Services	1,200	0	0	1,200	0	0			
Miscellaneous Services	161,084	4	9	154,247	11	8	6,836	13	1
Public Boards (See No. V. Public Exp.).....	105,620	0	0	105,620	0	0			
Public Hospitals and Schools.....	182,768	0	0	182,768	0	0			
	£. 4,695,500	16	7½	4,120,497	0	2½	575,003	16	5

END OF THE FINANCE ACCOUNTS FOR 1812.

AMOUNT OF ALL TAXES applicable to the Service of the Public, after defraying the Charges upon the Consolidated Fund, in the respective Years ending 5th January 1810, 1811, and 1812.

	5th January 1810.	5th January 1811.	5th January 1812.		5th January 1810.	5th January 1811.	5th January 1812.
INCOME OF THE CONSOLIDATED FUND.....	£. s. d. 39,625,813 3 3½	£. s. d. 42,986,153 18 11½	£. s. d. 40,917,935 18 4½	CHARGE UPON THE CONSOLIDATED FUND	£. s. d. 33,981,175 19 5½	£. s. d. 35,296,313 10 9½	£. s. d. 36,801,993 18 9½
WAR TAXES. After deducting £. 1,785,778 7s. 1½d. carried to the Consolidated Fund, in the Year ended 5th January 1810	19,012,367 3 6	—	—	SURPLUS - - -	5,642,637 8 10	6,989,839 8 2½	4,115,841 19 6½
WAR TAXES. After deducting £. 2,472,865 4s. 10½d. carried to Ditto in the Year ended 5th January 1811	-	20,554,579 4 8½	—	WAR TAXES - -	19,012,367 3 6	20,554,579 4 8½	19,936,963 19 4½
WAR TAXES. After deducting £. 2,456,089 14s. 1d. carried to Ditto, in the Year ended 5th January 1812	-	-	19,936,963 19 4½	DUTIES on SUGAR, &c. Total Amount of TAXES, &c. applicable to the Service of the Public.....	3,093,802 17 1½	2,871,522 6 1	2,827,785 18 1½
DUTIES on SUGAR, &c. Annually granted and applicable to paying off £. 3,000,000. Exchange Bills	3,093,802 17 1½	2,871,522 6 1	2,827,785 18 1½				
Total Receipt of Taxes.	61,729,983 8 11	65,712,254 9 9½	63,682,985 15 10		37,748,807 9 5½	39,415,940 19 0	36,880,591 17 0½

An Account of the Real Value of Exports from Great Britain to All Parts of the World, in the Years 1805, 1806, 1807, 1808, 1809, 1810, & 1811, respectively: distinguishing British Produce and Manufactures from Foreign and Colonial Merchandise; and distinguishing the Amount to the North of Europe, to Spain, to Portugal, to other Parts of Europe, to Asia, to Africa, to the United States of America, and to all other Parts of America.

YEARS.	REAL VALUE OF EXPORTS FROM GREAT BRITAIN TO									
	The North of EUROPE, (including France.)	SPAIN.	PORTUGAL.	GIBRALTAR AND MALTA, LEVANT, &c.	IRELAND, and the ISLES of GUERNSEY, JERSEY, &c.	ASIA.	AFRICA.	The UNITED STATES OF AMERICA.	Other PARTS of AMERICA (including WEST INDIES.)	ALL PARTS OF THE WORLD.
BRITISH PRODUCE & MANUFACTURES.										
1805	£. 10,316,384	£. 47,010	£. 1,849,604	£. 1,412,678	£. 4,999,795	£. 2,904,584	£. 756,060	£. 11,011,409	£. 7,771,418	£. 41,068,942
1806	7,572,409	32,470	1,701,772	2,956,984	4,509,446	2,937,895	1,163,744	12,989,488	10,877,968	43,542,176
1807	5,085,962	28,886	971,032	2,916,337	5,066,998	3,359,226	763,468	11,846,513	10,439,423	40,479,865
1808	2,162,434	839,366	426,124	5,568,111	5,874,080	3,594,833	633,153	5,941,739	16,591,871	40,881,671
1809	5,704,537	2,377,693	804,022	6,963,195	5,448,309	2,867,832	804,452	7,358,500	18,014,219	50,342,761
1810	7,709,390	1,407,609	1,308,216	5,209,391	4,214,513	2,977,366	595,031	10,920,752	15,640,166	49,975,634
1811	1,498,688	1,230,321	4,650,703	5,454,968	5,023,732	3,941,194	336,742	1,841,353	11,939,680	34,917,381
FOREIGN AND COLONIAL MERCHANTISE.										
1805	£. 6,331,090	£. 139,650	£. 178,046	£. 161,478	£. 1,400,568	£. 207,164	£. 400,895	£. 435,450	£. 785,768	£. 10,040,189
1806	5,836,275	99,835	75,777	221,721	1,304,204	321,949	491,998	476,063	1,009,593	9,785,705
1807	5,733,767	76,482	199,169	408,859	1,965,274	196,166	237,377	851,429	914,373	10,002,796
1808	3,268,098	237,687	174,015	1,266,290	2,097,614	193,990	187,069	61,127	1,581,185	9,088,075
1809	8,870,446	637,350	320,076	1,493,016	2,117,290	122,608	172,420	202,368	1,319,477	15,774,931
1810	6,155,556	336,912	920,617	1,184,376	1,550,931	139,709	98,880	296,953	2,043,541	12,726,775
1811	1,984,403	265,541	1,514,155	1,938,422	2,186,967	123,777	72,333	55,664	904,074	9,022,339
TOTAL EXPORTS:										
1805	£. 16,647,474	£. 186,660	£. 2,027,650	£. 1,574,156	£. 6,400,363	£. 3,111,748	£. 1,156,955	£. 11,446,939	£. 8,557,186	£. 51,109,131
1806	13,438,684	62,303	1,777,549	2,278,705	5,813,650	3,259,834	1,655,042	12,865,451	11,887,561	53,028,881
1807	10,819,729	105,368	1,170,221	3,325,196	7,032,972	3,555,392	1,032,745	12,097,842	11,353,796	50,482,661
1808	5,431,532	1,117,033	600,137	6,894,401	7,971,694	3,718,813	820,194	5,302,866	18,173,056	49,969,746
1809	14,574,983	3,035,043	1,124,098	8,436,211	7,565,599	2,990,440	976,872	7,460,768	19,833,696	66,017,712
1810	13,857,946	1,743,921	2,228,833	6,393,867	5,765,464	3,117,075	693,911	11,217,685	17,683,707	62,709,409
1811	3,483,091	1,495,865	6,164,858	7,393,390	7,210,699	3,063,971	409,075	1,874,917	12,843,754	43,939,630

stables and Watchmen, and prescribes the mode in which they are to be punished for misconduct or neglect.

As this is one of the principal Acts respecting the duties of Watch and Ward, Your Committee have also inserted an Extract from it in the Appendix.

Your Committee have not failed to observe, that the City of London, from the nature of its magistracy, the description of its various public officers, the gradation and subordination of their various classes, the division and subdivision of its local limits, affords an example of that unity, and of that dependence of parts on each other, without which no well constructed and efficient system of Police can ever be expected. If such a system could be successfully imitated in Westminster and its Liberties, and within the other adjacent Parishes which have hitherto formed an unconnected mass of scattered and uncontrouled local authorities, considerable benefit might be expected to ensue; for Your Committee are disposed to concur in opinion with several of the witnesses, that a well arranged system of Superintendence, Vigilance, and Controul, would tend more to the prevention of crimes, by rendering it difficult to commit them, than any degree of activity in the pursuit and conviction of criminals after the crime has been committed: at all events, however, the two systems are not only not incompatible, but would necessarily afford mutual aid and assistance to each other.

This system of Watch and Ward, adapted by the Legislature to the City of London, is not a dead letter, but is kept alive and in action by the constant superintendence of the Marshals of the City, with their Assistants, who every night visit the different Wards and Precincts, and take care that the Constables, Beadles, and Watchmen of all descriptions, are alert and do their duty. Morning Reports are made to the Lord Mayor, as Chief Magistrate; deficiencies are noticed, as well as any disorders or irregularities, or other occurrences of the night.

In ancient times, when the whole of the Metropolis consisted of little more than the City of London (properly so called) such a system might have been abundantly sufficient for its good government and security.

The City of Westminster, owing to its having never been incorporated, is not provided with the same means, and the same gradations of its public Officers, to ensure the unity and efficiency of its exer-

tions for the prevention of crimes, by the same system of controul and superintendence.

But Your Committee have to observe, that by the Statute of the 27th of Elizabeth, presiding and subordinate Officers are appointed, and powers given to the Dean and Chapter, and to the High Steward and others, to make Regulations for the good government of the City of Westminster. It appears that Lord Burleigh was appointed the first High Steward, and a Code of Regulations was introduced by him, and a division of its local limits into twelve Wards, for the purpose of a more perfect superintendence.

Your Committee have inserted this Statute of Queen Elizabeth in the Appendix, together with the original Regulations introduced by Lord Burleigh.

This Statute is specifically referred to, and its powers enlarged, by the 29 Geo. 2, c. 25, and by the 31 Geo. 2, c. 17, and a unity and gradation of authority are endeavoured to be established; and the High Constable is directed to obey the orders of the High Steward, and the Petty Constables to obey the High Constable.

The duties and superintendence of the High Steward have fallen into great disuse, although very important duties are imposed on him.

It appears, however, that on great occasions of ceremony, he has from time to time personally interfered, and put himself at the head of the whole Civil force of the City of Westminster, marshalling and arranging the subordinate Officers.

The present High Steward, the Marquis of Buckingham, is stated to have so interfered at the funerals of Lord Nelson and Mr. Pitt.

The Statute of 14 Geo. 3, c. 90, seems to have superseded this system, and is of such pre-eminent importance with reference to the subject matter of present investigation, that Your Committee have inserted large Extracts from it in the Appendix. It is a local Act applicable to the City and Liberties of Westminster, and certain other Parishes therein named; and, with great detail, prescribes the duties of Constables, Beadles, Patrols and Watchmen. It is not founded upon the principle of 10 Geo. 2, c. 22, which relates to the City of London, and which entrusts to the Lord Mayor and others the whole of the details of the Nightly Watch as to numbers, distribution, wages of the Watchmen, and other particulars, but it limits

the discretionary powers of the different parochial Authorities, and, with the most scrupulous minuteness, prescribes the exact manner in which the various descriptions of persons employed must discharge their duties, and defines the smallest number which each Parish is to employ, and the lowest amount of wages to be paid. It details the manner in which misconduct and neglect is to be punished, and meritorious exertions rewarded. It is observable, that both these Statutes refer to the ancient Statute of Watch and Ward, the 13th Edward 1, and recognize the principle, that the protection of every District is a compulsory duty incumbent on the inhabitants; and therefore, an express clause is inserted in each of these Acts, to discharge from this duty such Inhabitants as shall contribute to the Rate for defraying the expence of such Watch and Ward. Other Parishes or Hamlets are governed by particular Acts of Parliament, authorizing the raising of Rates for Watching and Lighting, and, vesting powers in certain Commissioners or Vestries for carrying these purposes into effect; but in many cases, the execution of the Law is extremely defective, and in some cases the power of raising Money is inadequate; in others the full amount is not levied; the mode of Watching generally bad, and the men employed, both in number and ability, wholly inefficient for the purpose.

In other Parishes there is no Legislative provision, and upon the whole, no uniform system prevails; and neither the Magistracy, or the Government, have at present any connection whatever with the state of the Watch, and no controul or superintendence over it.

It would appear that this Statute of the 14 Geo. 3, c. 90, has been very little known, or very loosely examined and considered, for many of the Witnesses whom we have examined, and many of the projects which have been submitted to our consideration suggest, as valuable improvements, the very principles, and very details, which are enforced by substantive enactment in this very Statute.

Your Committee feel that much would be done by merely extending the provisions of the 14 Geo. 3, to the adjacent Parishes in and near the Metropolis, which should be particularly described, provided it were duly executed; but they are convinced that it may receive very beneficial amendments, for the details of

which they would refer to the Appendix, stating here only, that, in many instances, it may be absolutely necessary to give powers for levying a higher Rate than is now allowed, in order to defray the expence arising from an increase of the numbers or wages of the persons employed in different capacities in the Nightly Watch; Your Committee being strongly impressed with the opinion of the expediency, if, not necessity, of relieving the Watch once at least in the night.

But the main improvement of this Law would consist in creating a superintending Power, to whose discretion should be entrusted the dismissal of the persons appointed by the Parochial Authorities in cases of misconduct, negligence or inability, and to whom it should belong to enforce generally, if necessary, the due execution of this Act; for, with all the other proposed amendments, it cannot escape observation, that the system would still remain imperfect, and very inferior in efficacy to that which subsists within the City of London (properly so called); there still would remain that want of unity, that want of dependence of parts on each other, that want of a general superintendence and controul, without which every system of government must be imperfect.

Your Committee, considering with this view whether there are any public Bodies or individuals already known to the laws, and vested with judicial and administrative powers, and on whom might conveniently be imposed the duty of connecting in some degree the scattered Parochial Authorities, have naturally found their attention directed to the several Boards of Magistracy which have been created by the 32 Geo. 3, c. 53.

This Act, reciting that a regular attendance of fit Magistrates at certain known places, and at stated hours, was much wanted, establishes seven Boards of Magistracy in various parts of the Metropolis.

These Boards of Magistracy have in common parlance obtained the name of Police Offices, although neither by the provisions of this Act, nor by the nature of their duties as Justices of the Peace, have they any superintendence whatever in matters of preventive and parochial Police, or any necessary knowledge of the principles on which the several independent unconnected Parishes act, or of the details by which the Peace and good

Order of the Metropolis are endeavoured to be maintained; nor have they any means of obtaining this knowledge, except incidentally, in consequence of persons being brought before them charged with disorderly conduct, or suspected of having committed crimes. They merely constitute the first stage in the administration of Criminal Jurisprudence. It would seem to be extraordinary, that in such a Metropolis as London, there should be no Office in which information is collected, from which intelligence can be obtained as to the state of the Police. The Secretary of State for the Home Department has not, necessarily, any knowledge on this subject, nor has he the means of obtaining any such knowledge, except with reference to crimes committed, or of disturbances which have arisen, or of the number of informations or committals which have taken place during any given period.

Your Committee are therefore persuaded, that the greatest advantages would arise from making use of these Boards of Magistracy, even if it were for no other purpose, than as constituting centres to which information might habitually and constantly be communicated, and daily Reports made from the several Parishes situated within the District, which, for the sake of mutual convenience, is considered as assigned to each of these seven Police Offices.

By means of this system of daily Report, detailing the number and description of the persons employed on the Watch during the preceding night, and the occurrences which may have taken place while they were so on duty, the Magistrates would be informed as to the manner in which the proposed Act of Parliament had been complied with; and also of the state of order, or disorder, which might prevail in the various Parishes within their district.

But Your Committee further propose as a means of superintendence and controul, and for the purpose of verifying in some degree the correctness of such Reports, and of ascertaining the fitness as well as good conduct of the persons so employed, that it should be the duty of some of the principal Officers attached to the several Boards of Magistracy (generally known by the name of Police Officers) to go rounds according to some rotation, to be settled during the night, and to visit the several Watch-houses within their district,

and report in the morning to the office to which they are attached, as to the vigilance, good conduct, and fitness of the Constables, Beadles, Patroles, and Watchmen, on duty during the night.

It is also proposed that it should be the duty of the High Constable within the several divisions, occasionally to make similar visitations and Reports, and with this view, it might perhaps be advisable to attach to them a certain number of Assistants, who might be stipendiary officers, to be paid out of the County Rate, or out of some Rate to be levied within each respective division to which they belong.

Nor are these the only means by which it is proposed to furnish the Boards of Magistrates with information respecting the state of the Metropolis as to its Police, and as to the manner in which the parochial Authorities execute the powers entrusted to them; but it is further recommended, that the excellent provisions of the Statute of 14 Geo. 3, c. 90, should be extended.

This is the Statute which Your Committee have before alluded to as applicable to the City and Liberties of Westminster, and certain other Parishes therein named, and which, after having prescribed the general outline of the manner in which Watch is to be kept, directs that the several parochial Authorities shall meet, and make more detailed rules and regulations for the instruction and guidance of the Constables, Beadles, Patroles, and Watchmen.

These detailed Instructions are directed to be written or printed, and delivered to each of such persons respectively.

Your Committee would further propose, that copies of such Rules and Regulations should also be transmitted to the Police Office of the district for their information, that the principal Officers attached to each Office may, in their nightly visitations, be able to judge, whether such Regulations are properly complied with. Copies also of these Regulations should, in some convenient manner, be affixed to the walls in each Watch-house.

By means such as these, the several Boards of Magistrates would acquire such a degree of knowledge, as would enable them to give instructions to their principal Officers for their conduct during their visitations, and would enable them further to exercise, with correctness, the power which should be given them, of

displacing such of the Watchmen or Patroles as appear to be unfit, from bodily infirmity, or from negligence or misconduct.

Having thus collected at each respective Police Office a great mass of information, as to the principles and details by which the good order and security of their district is endeavoured to be maintained, and having thus called into activity the attention of a great number of persons as to matters of preventive Police, and introduced that system of superintendence and controul which may keep alive and continue the activity and vigilance which has thus been excited, it would still appear that the system would be imperfect unless this information, thus collected at each of the seven respective Boards of Magistracy, was accumulated at some one central point, in order that there may be the means of comparing the occurrences and transactions and circumstances of the various parts of the Town, and of forming estimates from the comparison of such facts, of the probable means for the effectual prevention of crimes, or for the detection, pursuit, apprehension, and conviction of criminals.

It should seem, that the Office at Bow-street, which is wholly unconnected with either of the seven Offices, might form the proper centre, to which this various information should be transmitted.

It would probably be necessary, considering the great pressure of business which devolves on that Office, to attach to it some fit person, whose immediate duty it should be to compare and digest such information, for the purpose of being communicated to that Board of Magistrates, and also to the Secretary of State of the Home Department.

Your Committee have dwelt the longer on this branch of the subject, as they deeply feel the necessity of introducing some system which may give unity and connection to the scattered parts of which the Metropolis consists; and which may, by introducing more means of superintendence, and more means of knowledge, secure a due execution of the Laws, and above all things, may secure that active vigilance and precaution which may lessen the number of Criminals by rendering it difficult to commit crimes.

Although Your Committee consider this part of the subject to be of pre-eminent importance, and as some of the witnesses have said, to be all in all, yet there

are several other measures which may come in aid of this System and may conduce materially to the prevention of crimes.

With this view, Your Committee advert to the Police Office which has been established at Wapping, called The Thames Police Office, for the detection of felonies, &c. committed on the River Thames. The Magistrates of this Office have also a jurisdiction co-extensive with the other Magistrates.

Your Committee are fully convinced of the beneficial effects which have been derived from this Establishment; the increased protection which has been afforded to every species of property on the River, furnishes the strongest proof of its utility. But it is stated to your Committee, that the Funds of this Office are at present inadequate for such an increased Establishment as would be necessary to guard the valuable property on the various wharfs and line of River from London Bridge to Battersea; added to which, at certain periods of the tide, the communication between the parts of the River above and below London Bridge is so interrupted, that during several hours the upper part of the River is consequently open to great depredation. It is therefore recommended that an additional number of boats should be provided, locally applicable to that part of the River above the Bridge.

It has also been represented, that the great and increasing population in the neighbourhood of Greenwich requires another Police Office on that side of the River. Your Committee are informed, that it is now in the contemplation of government to remove the Thames Police Office to the Surrey side for that purpose: this might then be made the Office for an eighth division, comprehending Greenwich, and the other surrounding Parishes.

It has also been represented to Your Committee, that the most notorious Pickpockets and other reputed Thieves are permitted to frequent the public avenues of the Town with impunity, notwithstanding the provisions of 32 Geo. 3, made for the purpose of their apprehension: but the Law, as it now stands, does not authorize the Officer to apprehend them, unless, first, they are seen in some public avenue; secondly, unless they are reputed thieves; and thirdly, unless they are on the spot with the intent to commit a felony: this

can be proved only by some overt act which they are seen to commit, such as hustling, attempting the pocket, or the like. It has been suggested, that if further powers were given by the legislature, the apprehension of these offenders would be greatly facilitated; but on the other hand, it has not occurred to Your Committee that the powers already given could be enlarged consistently with the general liberty of the subject. Doubts, however, have arisen on the construction of this Act, and the subsequent Act of 51 Geo. 3, whether they extend to the City of London (properly so called), which is stated to Your Committee to be at present the resort of many reputed thieves, from the shelter afforded by the operation of the Act being understood to be so limited; it seems therefore desirable that it should be amended for this purpose.

It is at present very difficult to prosecute to conviction the Receivers of stolen goods; but Your Committee think that the evil would be much checked, and less facility would be afforded in the removal of stolen property, if the Law with respect to the execution of Search Warrants were amended, and the officer enabled to put them in force as well by night as by day, under the direction of the Magistrates; which your Committee beg leave to suggest to the future consideration of the House.

It has been proved to your Committee, that Hackney Coaches frequently are used for the conveyance of stolen property in the night, and, to avoid detection, the iron plate with the proper number of the coach is frequently taken off, and another substituted during the time they are in waiting; this might in some degree be remedied by directing the proper number to be painted on the pannel of the coach, or by some similar regulation.

Your Committee fully agree in the recommendation of a former Committee (28 Report Finance) that the Magistrates should have further means of rewarding their different Officers for any extraordinary activity and exertions, in such a manner as the circumstances of the case might require. If this power was given to a limited extent, it appears to Your Committee, that the Police Officers might be precluded in future from participating in the rewards given by Act of Parliament. The rewards are usually divided between the prosecutor and all the witnesses; the Police Officer has only a small share of them; but this circum-

stance sometimes operates against his credit as a witness, and to the defeat of public justice: it seems desirable therefore, that as a public Officer, he should be free from any such imputation, and that his services would be best rewarded by the Magistrates, without depending on the conviction of the Offender.

The great increasing expence attending all criminal prosecutions has been truly stated to be a great source of the impunity, and consequently of the increase of crimes; and it seems highly deserving the attention of the Legislature, whether the expences of prosecution to a limited extent, and in particular cases, which may be specified, might not with propriety be defrayed out of the Parish Rates, or some other general fund. Your Committee think that such a Regulation would materially tend to an increased activity in the prevention and prosecution of offenders, and the great relief of individuals on whom these depredations are committed.

The Petitions from the licenced Publicans, with regard to the stealing of Pewter Pots, having been referred to Your Committee, they have heard evidence on the subject, and find the extent of the evil to be great, notwithstanding the severity of the existing Law; but it does not occur to them, that the interest of the Petitioners can be so well guarded by any new Act of the Legislature, as by Regulations which they are competent to make among themselves.

Having thus adverted to these subjects, which are most of them more or less intimately connected with the immediate object of their enquiries, Your Committee cannot conclude their Report without mentioning the incongruity which subsists in the system for the government of the Metropolis, owing to the Chief and other Magistrates of the City of London, which is situated in the centre of the metropolis, being unable to pursue, by their warrants, beyond the local limits of the City of London, (properly so called) goods which may have been stolen within the limits of the City, and may have been removed beyond these limits. Your Committee conceive, that the warrant of the City Magistrates should have operation, without being backed by any other Magistrate, within a circle of five miles from the Royal Exchange; and that warrants signed by County Magistrates within five miles of the Royal Exchange, should operate within the local limits of the City, with-

out being backed by the City Magistrates. Your Committee conceive, that such an intercommunity of jurisdiction could not be considered as affecting any of the valuable exclusive Rights and Privileges of the City, particularly if it was limited to definite cases.

Whatever the feelings or opinion of the Legislature might be upon this point, Your Committee have conceived that they could not avoid, after the evidence they had received, directing their attention to the subject.

Your Committee are aware that there are many other points which may be considered as intimately connected with the subject of Police, and to which they might have directed their attention; there are many branches of the Criminal Law, many circumstances connected with the modes in which such Law is administered; the periods for which offenders may be imprisoned, the places in which they may be confined, and the manner in which they may be returned again upon the community after the period of their imprisonment may be elapsed; all which subjects may be considered as intimately connected with Police, as they operate strongly both on the dispositions which induce men to commit crimes, and on those previous arrangements of precaution by which crimes may be prevented.

But as these subjects have been referred to other Committees, Your Committee have conceived it to be their duty to confine their Investigations and their Observations to those leading principles of preventive Superintendence and Controul, and to that system of provident Vigilance, which, by watching assiduously over the interests of the Community, may maintain, without interruption, its good Order and Security.

Since Your Committee framed their Report, two Reports, made in the years 1770 and 1772, on the same Subject, have been referred to; and Your Committee think it their duty to bring them, at this time, to the notice of the House, in the Appendix to this Report.

24 March 1812.

EXTRACTS FROM THE APPENDIX, No. I.

From the folio edition of "The Statutes of the Realm." Printed in 1810 by Command of His Majesty; under the Direction of the Commissioners on the Public Records.—Vol. I. page 102.

ANNO 13^o EDWARDI I. A. D. 1285.

Statuta Civitatis London.

Statutes for the City of London.

Ex magno Rot. Stat. in Turr. Lond. m. 42, in Cedula.—(Translated.)

These be the Articles which our Lord the King doth command to be well kept in his City of London, for the keeping and maintenance of his Peace.

None shall walk the Streets armed, after Curfew, &c.

First, Whereas many evils, as Murders, Robberies and Manslaughters have been committed heretofore in the City by Night and by Day, and People have been beaten and evil intreated, and divers other Mischances have befallen against his Peace; it is enjoined that none be so hardy to be found going or wandering about the Streets of the City, after Curfew tolled at St. Martin's le Grand, with Sword or Buckler, or other Arms for doing mischief, or whereof evil suspicion might arise, nor any in any other manner, unless he be a great man or other lawful Person of good repute, or their certain Messenger, having their Warrants to go from one to another, with Lanthorn in hand. And if any be found going about contrary to the form aforesaid, unless he have cause to come late into the City, he shall be taken by the Keepers of the Peace and be put into the place of confinement appointed for such Offenders; and on the morrow he shall be brought and presented before the Warden, or the Mayor of the City for the time being, and before the Aldermen; and according as they shall find that he hath offended, and as the Custom is, he shall be punished.

Taverns shall not be open after Curfew, &c.

And whereas such Offenders as aforesaid going about by Night, do commonly resort and have their Meetings and hold their evil talk in Taverns more than elsewhere, and there do seek for shelter, lying in wait, and watching their time to do mischief; it is enjoined that none do keep a Tavern open for Wine or Ale after the tolling of the aforesaid Curfew; but they shall keep their Tavern shut after that hour, and none therein drinking or resorting; neither shall any man admit others in his House except in common Taverns, for whom he will not be answerable unto the King's Peace. And if any Taverner be found doing the contrary, the first time he shall be put in pledge by his Tavern drinking cup, or by other good pledge

there found, and be amerced forty-pence; and if he be found a second time offending, he shall be amerced half a mark; and the third time Ten Shillings; and the fourth time he shall pay the whole Penalty double, that is to say, Twenty Shillings: And the fifth time he shall be forejudged of his Trade for ever.

None shall teach fencing with Buckler in the City.

Also, forasmuch as Fools who delight in mischief, do learn to fence with Buckler, and thereby are the more encouraged to commit their follies; it is provided and enjoined that none shall hold school for, nor shall teach the art of fencing with Buckler, within the City, by night or by day; and if any so do, he shall be imprisoned for forty days.

Offenders shall be discharged only by the Mayor, &c.

And whereas Malefactors taken and arrested for Trespasses, as for Batteries, spilling of Blood, and other Offences against the Peace of our Lord the King, and for evil suspicion, are often delivered too easily, by reason whereof, others the less dreading such punishments are encouraged in their follies, and in often transgressing against the Peace, in expectation of such easy deliverance; it is provided that no man so imprisoned shall be delivered by the Sheriff, nor by any Officer under him, without the award of the Warden or Mayor for the time being, and of the Aldermen; unless the Trespass be very small; and then good and solemn mainprize shall be taken, and of Persons justiceable before the Bailiffs of the City, that he do appear before the said Warden or Mayor, and the Aldermen, at a certain day, to receive award and judgment according to his Trespass.

Aldermen shall secure Offenders in their respective Wards.

Moreover it is provided, that every Alderman in his Wardmote shall make diligent enquiry concerning such Malefactors, resorting to and abiding in his Ward; and if any such be found by presentment or indictment of the good Men of the Ward, or by evil suspicion, they shall straight be attached by their Bodies, and brought before the Warden or Mayor, and the Aldermen, and be arraigned of that whereof they are indicted or presented; and they who cannot acquit themselves, shall be punished by imprisonment, or other Pu-

nishment, at their discretion, and according to what the Trespass requireth.

Foreigners shall not be Inn-keepers, unless made free of the City.

And whereas divers Persons do resort unto the City, some from Parts beyond the Sea, and others of this Land, and do there seek shelter and refuge, by reason of Banishment out of their own Country, or who for great offence or other misdeed have fled from their own Country; and of these some do become Brokers, Hostellers, and Innkeepers within the City, for Danizens and Strangers, as freely as though they were good and lawful Men of the Franchise of the City; and some nothing do but run up and down through the streets, more by night than by day, and are well attired in cloathing and array, and have their food of delicate meats and costly; neither do they use any craft or merchandize, nor have they Lands or Tenements whereof to live, nor any Friend to find them; and through such Persons many perils do often happen in the City, and many evils, and some of them are found openly offending, as in Robberies, breaking of Houses by night, Murders, and other evil deeds; it is provided that no Man of Foreign Lands, or other Person whatsoever, shall be a resiant Innkeeper or Hosteler in the City, unless he be a Freeman of the City, admitted and at farm before the Warden or Mayor, and the Alderman, as a good Man and true, and that he have good testimony from the Parts whence he cometh, that he hath well and lawfully departed; and that he find safe Pledges justiceable before the Bailiffs of the City, to be answerable to the King's Peace, and to save the Citizens and the City harmless.

Admission of Brokers.

And there shall be no Broker in the City, except those who are admitted and sworn before the Warden or Mayor, and Aldermen.

Punishment of Persons acting as Brokers, Innkeepers, &c. contrary hereto.

And all that are Innkeepers, Hostellers, and Brokers in the City, contrary to the form aforesaid, from one month after the day when these Articles shall be read and published in the City, shall forego the same, and withdraw themselves that they do so no more; and if any be found offending herein after the said month, or any other of whom there is evil suspicion for his ill behaviour, as for bad Company, or

or by good evidence of the Neighbourhood, he shall forthwith be arrested by his Body by the Warden or Mayor, or the Sheriffs, or by the Alderman in whose Ward he shall be found, and shall be punished according as he shall be found to have transgressed the Form aforesaid, or to have otherwise offended; that is to say, Innkeepers and Hostellers, and Brokers, shall be for ever inadmissible to the Franchise, and awarded to Prison; and the others shall be punished by Imprisonment, or otherwise, according as the offence requireth.

Officers executing this Act indemnified.

The King, who willeth that the Peace of his City be well kept among all Persons, having been informed that his said Articles are not observed, neither can be, by reason that his Officers have been many times accused and grievously punished before his Auditors of Complaints, and elsewhere in his Court, for imprisoning and otherwise punishing Offenders and suspected Persons, for that they had not the King's Warrant for so doing; whereby the said Officers have been and are less bold to chastise and punish Offenders, and these do become so much the more daring to offend, and do give unto others the example of evil doing, to the great peril of the City and great encouragement of Offences; he doth will and command, that from henceforth none of his Officers shall be complained of before his Auditors of Complaints, or elsewhere in his court, for any imprisoning or other punishing of Offenders or Persons suspected of evil; unless it be that any Officer should do so of open malice and for his own revenge, or for the revenge of another that maliciously procureth the same, and not for the keeping of the Peace.

And the King willeth that these provisions, and the additions, be well and surely kept in the aforesaid City, for the maintenance of his Peace, with the amendments thereof when it shall please him to make such, for the profit of his City.

No. III.

ANNO 27^o ELIZABETHÆ, REGINÆ.

AN ACT for the good Government of the City and Borough of Westminster, in the County of Middlesex.

Forasmuch as by erection and new building of divers houses, and by the paring and dividing of divers tenements (VOL. XXII.)—Appendix.

within the city or borough of Westminster, and the liberties of the same, the people thereof are greatly increased, and being for the most part without trade or mystery are become poor, and many of them wholly given to vice and idleness, living in contempt of all manner of officers within the said city, for that their power to correct and reform them is not sufficient in law, as in that behalf were meet and requisite; Be it therefore ordained by the Queen's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the authority of the same, That the said city or borough of Westminster, the Liberties, Territories, and Precincts of the same, shall be, and for ever hereafter continue severed and divided, as it hath been accustomed, into twelve several divisions, to be called or known by the names of Wards, the same to be and continue by such limits, metes, and divisions, as heretofore hath been commonly taken or known.

And for the better ordering and government of the people inhabiting and being within all and every the wards aforesaid, and for repressing and rooting out of vice there used; Be it further ordained by the authority aforesaid, That the Dean of the Collegiate Church of Saint Peter's of Westminster, or his successors, or the High Steward there for the time being, or his lawful deputy, shall upon Thursday in Easter-week next after the end of this Session of Parliament, and so yearly for ever hereafter, nominate and elect Twelve sufficient persons, being merchants, artificers, or persons using any trade of buying or selling within the said city or borough, or such other persons as shall be willing thereunto and inhabiting within the said city or borough, and the liberties of the same, which shall be called by the name of Burgesses; unto the government of every which Burgesses, one of the said twelve wards shall be, by the said Dean, and High Steward, or his lawful deputy for the time being, appointed and limited; which said Twelve, and every of them, shall accept their election, and shall continue in his said room for one year next ensuing, and so from year to year during his or their natural lives, if they shall so long inhabit there, except for some offence or misgovernment by them or any of them committed; (and unless for cause reasonably proved) they shall be displaced by the Dean of Westminster or High (F)

Steward there for the time being; and if any person or persons resiant, and so nominated, shall refuse to accept the said room, he shall forfeit Ten Pounds to the use of the poor within the said city or borough of Westminster, and to be levied by the Bailiff of the liberties of the said Dean and Chapter, by way of distress, to be taken and justified to the use aforesaid; which said Twelve Burgesses, and every of them, shall receive as well the usual Oath of Supremacy, as also a corporal Oath to him to be ministred by the said High Steward, or his deputy, in open Court, to do and execute all things to them appointed and authorized by this Act.

And for the more aid and assistance to perform that which by the true intent of this Statute is meant to be performed, Be it ordained by the authority of this present Parliament, That the said Dean, or his successors, or the said High Steward, or his lawful deputy, with the said twelve Burgesses, or the more part of the said Burgesses, shall within ten days after the election and choice of the said twelve Burgesses, nominate and elect twelve others, able persons, inhabiting within the said city or borough, and the liberties thereof, being merchants, artificers, or using any trade of buying or selling within the said city or borough, or any other being willing thereunto as aforesaid, to be Assistants to the said twelve Burgesses; and that they shall accept the same charge upon payment of Five Pounds, to be levied of every of them that shall refuse the said room in form aforesaid, to be employed as aforesaid, with like oaths as is aforesaid; and shall be called by the names of Assistants unto the said twelve Burgesses nominated to the aforesaid twelve wards; unto every of which said wards one of the said Assistants shall be appointed for the government of the same with the said Burgess; which said twelve Burgesses, and the said twelve Assistants, and every two of them, within the several wards to them appointed and limited, viz. every Burgess, together with his Assistant, shall and may, by virtue hereof, do and deal in every thing and things as Aldermens deputies in the city of London lawfully do or may do; and every of the said twelve Assistants shall continue in their said office for and during one whole year then next ensuing, if they shall continue their habitation within the said city or borough, or liberties of the same; and if any of the said twelve Burgesses or Assist-

ants shall happen to die, or otherwise, upon reasonable cause, to be removed or displaced from his said office, that then the said Dean or his successors, and the High Steward for the time being, or his lawful deputy, shall from time to time, at their wills and pleasure, nominate and appoint any other meet able person or persons of like estate, faculty, and quality as aforesaid, inhabiting within the said city or borough, and the liberties of the same, to supply the place or places of such of the said Burgesses or Assistants as shall so die, or be moved or displaced, who shall continue in the said room until the Thursday in Easter-week then next following; and that such person or persons so nominated and elected, shall accept and exercise the same, upon pain of Five Pounds, to be levied and employed in form aforesaid, and with like oaths, as is aforesaid.

And be it further Enacted by the authority aforesaid, That the said Dean and his successors, or the High Steward, or his lawful deputy, for ever hereafter yearly upon Thursday in Easter-week aforesaid, shall nominate and appoint two persons out of the twelve Burgesses, to be called and known by the name of the Two Chief Burgesses, to continue in office for one year then next following; which office they and every of them shall accept upon pain of Ten Pounds aforesaid, to be paid as aforesaid, and to be levied by way of distress to the use aforesaid, as is before limited.

And for due reformation of the inconveniences and disorders which shall or may happen within the said city, borough or liberties, Be it ordained by the authority of this present parliament, That as well the said Dean, or his successors, the High Steward aforesaid, or his deputy, as also the said two chief Burgesses, the other ten Burgesses, or any four or three of them, whereof the said Dean, High Steward, or his deputy, or one of the said two chief Burgesses, to be one from time to time for ever hereafter, to be appointed during their said office, shall and may, by virtue of this Act, within the said city or borough or the liberties thereof, hear, examine, determine, and punish, according to the laws of this Realm, or laudable and lawful custom of the city of London, all matters of incontinencies, common scolds, and of inmates, and common annoyances; and likewise that they shall have authority to commit to prison such persons as within

the said city shall offend against the peace, and thereof shall give notice within four and twenty hours after to some Justices of Peace within the county of Middlesex.

And be it further Enacted by the authority aforesaid, That all good Orders and Ordinances to be made by the said Dean and High Steward, with the assent of the Burgesses and Assistants for the time being, or the more part of them, for or concerning the government of the said inhabitants, not repugnant to the Queen's Majesty's prerogative, nor the laws and statutes of this Realm, shall, by virtue of this Act, stand in full force and strength.

Provided, that this Act, or any thing therein contained, shall not be prejudicial to the Steward, Marshal, or Coroner of the Queen's Majesty's Household, nor to the authority of Justices of Peace within the county of Middlesex, nor to the Dean and Chapter of Westminster, or their successors, nor to the High Steward there, or his deputy for the time being, nor to the Mayor, Society, and Clerk of the Staple, High Constable, Bailiff of the Liberty, Town Clerks, nor to the Clerk of the Market, nor to any search to be made by any other officer in the said city or borough of Westminster now being, or that at any time hereafter shall be, not being contrary to the true meaning of this present Act.

And be it Declared by the authority of this Act, That they and every of them, their deputies and assigns, shall and may have, take and enjoy all the privileges, authorities, benefits and profits, unto them or their said office belonging, from time to time, for ever hereafter in as ample wise, as they or any of them have had, taken and enjoyed the same at any time heretofore, not being contrary to the true meaning of this present Act.

Provided always, That if it shall happen at any time hereafter, that the Dean of Westminster aforesaid, or his successors, and the said High Steward for the time being, and his lawful deputy, and every of them, be remiss or negligent in choosing and nominating of the Burgesses aforesaid, at the time before limited, that then it shall and may be lawful for two Justices of Peace within the county of Middlesex, whereof one to be of the Quorum, to nominate and choose the said Burgesses, being such persons as aforesaid; who being so nominated and chosen by the said justices, shall occupy and enjoy the said rooms, upon the pains aforesaid, and have and

enjoy such liberties in all respects, as if they had been nominated and chosen by the said Dean and High Steward as aforesaid.

Provided also, That all such Burgesses as aforesaid, which hereafter shall be chosen as aforesaid, to serve in any of the said rooms or places, shall not be compellable by this Act to remain in the said office or room above the space of one whole year next after such choice or election; and all such persons as shall for refusal of any of the said offices, pay any the sums aforesaid shall not be nominated again to any of the said places within the space of five years then next following.

And forasmuch as there be divers houses, tenements and buildings within the liberties of the Dutchy of Lancaster, of the which said houses, tenements and buildings there are certain which are lying and being within the city or borough of Westminster, and divers of the same are next adjoining to the said city or borough, and yet the inhabitants within the said liberties of the said Dutchy are not subject to the government or jurisdiction of Westminster, but have liberties and franchises distinct and divided by themselves: And to the intent that one uniform government may be in both the said liberties of Westminster and the Dutchy in the places aforesaid; Be it Enacted by the Authority of this present Parliament, That the Chancellor or Steward of the Dutchy for the time being, shall have the like power and authority by virtue of this Act in all things, as the Dean of Westminster, and the High Steward of the same have by virtue of this Act, for the better government of the inhabitants within the liberties of the said Dutchy, being and next adjoining to Westminster as is aforesaid.

Provided always, that this Act, or any thing or matter therein contained, shall not extend to the Church or College of Westminster, nor to the Close of Westminster, nor to any person or persons inhabiting within the site, circuit, or precinct of the said Church, College or Close, for any offence or mis-government to be committed by them or any of them within the site, circuit or precinct of the said Church, College, or Close, or city or borough of Westminster; and that this Act, nor any thing therein contained, shall extend to give any authority, jurisdiction, or power to the said Burgesses, to hear, examine and determine any thing by virtue of

this Act, without the consent of the said Dean, or of the said High Steward, or his lawful deputy, or in the absence of the said Dean, High Steward or his lawful deputy, then with the only presence and consent of the Town Clerk there for the time being, and not otherwise.

And that this Act to continue unto the end of the parliament next following.

Provided also, That the Searcher for the time being of the Sanctuary of Westminster, shall have and enjoy within the Sanctuary of Westminster, the execution and serving of all process, commandments, and warrants, and the attachments, and apprehensions of all manner of offenders within the Sanctuary aforesaid, and within the site, circuit, and precinct thereof, in as ample manner and form as if this Act had never been had or made.

Certain ORDERS and ORDINANCES* made the 27th May in the 27th year of the reign of our Sovereigne Lady Elizabetha, &c. by the Right Honorable Sir William Cecill, of the Most noble Order of the Garter, Knight, and Baron of Burleigh, Lord Treasurer of England, and High Steward of the City and Burrough of Westminster; and the Right Worshipful Mr. Gabriel Goodman, Doctor of Divinity, Dean of the Collegiate Church of St. Peter's in Westminster aforesaid; with the assents of Thomas Fowler and John Fisher, then being Chief Burgesses of the said City or Burrough; and alsoe with the like assents of the other Ten Burgesses; and alsoe with assents of their Assistants, according to the Statute lately made and provided for the good government of the said City or Burrow of Westminster: viz.

1. Item, That all and every person or persons which at this present have dwelling or inhabiting within any his or her or their house or houses, or in any part or parcel thereof, any inmates or under-tenants, the said inmates or under-tenants and every of them shall avoid and quietly depart from every such house and houses at

* It is hoped that the House will excuse the length of the following Ordinances, as they are extremely descriptive of the plain simplicity and integrity of our Ancestors, as well as capable of affording much useful information for the present time.

or before the feast day of St. Michael the Archangell next ensuing, upon pain, that every person and persons that shall keep or suffer any such inmate or under-tenant to inhabit or dwell in any his her or their house or houses after the said feast day, shall forfeit and pay for every week offending, touching the premises, ten shillings.

2. Item, If any person or persons using the trade of buying and selling any victuals or wares by any weights or measures, and shall be found to have at any time hereafter, either false or unlawful ballance, or false or unlawfull weights or measures, against the laws and statutes of this Realme, the same shall then by the officer finding the same be defaced; and the owner thereof shall be committed to prison, there to remaine by the space of twenty-four hours, and to pay for every time soe offending twenty shillings.

3. Item, If any Baker or Brewer shall put to sale any bread beer or ale within the said City or Burrough, not being lawful or good, or wanting in weight, or in assize contrary to the weight and assize thereon commonly used and allowed within the city of London, that then every such Baker or Brewer shall receive and have such condigne punishment and such fine and americiament as shall be assessed for every time soe offending, according to the laws and statutes of this Realme, and alsoe according to the custom used within the city of London in those cases from time to time.

4. Item, If any Collier shall put to sale any coals in sacks, and the same sacks not being lawfull, or if his sack or sacks should be found to be lawfull, and not being filled with coals accordingly, that then every such Collier, for every such time soe offending shall be committed to prison, there to remain by the space of 24 hours; and all his defective and unlawfull sacks shall be burned in the market place, and to receive for every time soe offending such further punishment as is used within the city of London.

5. Item, If any Woodmonger or Bargeman shall put to sale any kind of wood or fuell within this said city or borough, and the said wood wanting of the assize allowed by the Statute, that then every such Woodmonger and Bargeman shall receive and have such condign punishment, and pay such fine for every time so offending, as by the Statute and the custome of the city of London in these cases are lawfully used.

6. Item. That the Burgesses and their Assistants of the City or Burrough, and every of them, according to their severall divisions, shall, every Saturday during all the time of the market, attend and peruse the same, and then and there to take diligent care and heed, that the Queen's Majestie's people may well and duely be served of all such victuals as they and every of them shall buy in the said market; and if any of the said Burgesses or Assistants shall make default in not performing the premises, that then he soe offending shall forfeit and pay for every time soe offending, without just cause or lawful lett xijd.

7. Item, If any person or persons shall receive or take into his or her service any servant without a lawfull testimoniall in writing, or that shall put away such servant without giving to him or her lawfull warning, according to the Statute, that then every such person offending herein shall forfeit and pay, for every time so offending herein, as by the Statute is provided; and alsoe, if any servant shall depart from the service of his or her master or mistress, without just cause or giving lawfull warning, or not having a lawfull testimoniall, shall then be punished according to the said Statute.

8. Item, If any person or persons shall at any time hereafter forestall, regrate or ingrosse any victuals, or any kind of fuell, either in the market, or being brought towards the same, that then every such offender shall receive and have such condign punishment as by the Statute in that case is made and provided.

9. Item, If any Butcher or any other person or persons shall cast or lay any thing into any common sewer, which may be to the decay or hurt of the same, or that shall cast or lay any noisome thing or things into any common street, to the annoyance of any of the Queen's Majestie's people, that then every such person for every time offending in any of the premises, shall be committed to prison, and there to remain by the space of 24 hours together.

10. Item, That noe person or persons that now keepeth or that hereafter shall keep any cooke's-shop, shall alsoe keep a common alehouse (except every such person shall be lawfully licenced thereunto) upon pain to have and receive such punishment, and to pay such fine, as by the Statute in that case is provided.

11. Item, It is alsoe ordered, That from

the feast of Saint Michaell the Archangell next ensuing, there shall be within the said City or Burrough the number of one hundred common alehouses, and noe more at any one time; viz. in the parish of St. Margaret's sixty, in the parish of St. Martin's-in-the-Fields twenty, and in the parish of St. Clements and Savoy or Strand, within the liberties of Westminster, twenty.

12. Item, If any cause of variance shall happen to be ministred between any the neighbours of this City or Burrough, upon any uncharitable speeches, or other annoyances, that then the party grieved shall make his or her complaint to the Burgess or his Assistant of the same ward, and not to commence any action or suite in law for any such cause, without the lycence of the said Burgess and his Assistant, upon payne of imprisonment.

13. Item, That every Burgess and their Assistants, and all and every other person and persons, using any trade of victualling or keeping any common alehouse, shall yearly and every year hereafter, from the feast of All Saints untill the feast of the Purification of the Blessed Virgin Mary, find and keep one convenient Lanthorne, with a candle being light in the same, in the street, at every their street-doors, viz. from six of the clock in afternoon untill nine of the clock then next following, every night nightly (except those nights as the moon shall then and at that time shine and give light) upon paine to forfeit and pay for every time offending herein four-pence.

14. Item, That all other the inhabitants of the City or Burrough shall find the like lanthorne and candle-light, in manner and form as aforesaid, and as they and every of them from time to time shall be assessed by the Burgess and Assistant of that ward where any of the said inhabitants shall then dwell, upon pain to forfeit and pay for every time offending therein four-pence.

15. Item, That noe Tavern-keeper or Inn-keeper shall keep any cookes-shop, upon pain to forfeit and pay, for every day offending herein, two shillings.

16. Item, That if any person or persons after he she or they shall happen to be punished and banished from this City or Burrough, for any incontinency of life or such like, and shall return againe to the City or Burrough, to the intent there to inhabit and dwell, that then every such person and persons shall be whipped naked

at a cart's taylor throughout the said city, for every time so offending contrary to this order.

17. Item, If any constable or constables shall willingly permitt and suffer any rogue or rogues or sturdy beggar to wander in the streets, and doe not apprehend them, according to the Statute, that then every such constable shall forfeit and pay six shillings and eight-pence.

18. Item, That noe person or persons shall accept or take any tenants into any his or her messuage tenement or cottage within this City or Burrough, except every such tenant doe first bring with him or her a sufficient and lawfull testimoniall in writing, touching every such persons good behaviour and conversation of life from the place of his or her last abode, and the same party shall deliver the said testimoniall to the Burgess and Assistant of the same ward; and alsoe that every such tenant shall live by some lawfull science or manuell occupation; and if any person or persons shall accept and take any other tenant, contrary to this order, that then he or she for every time soe offending shall forfeit and pay forty shillings.

19. Item, That the inhabitants of the City or Burrough, yearly and every year hereafter, from the feast-day of the Annunciation of the Blessed Virgin Mary untill the feast-day of Saint Michael the Archangell, viz. every day at six or seven of the clock in the forenoon, shall, either by themselves or some others, with clean water, wash and sweep the kennels and gutters near unto every of their dwelling-house, upon paine to forfeit and pay, for every day making default, four-pence.

20. Item, That no person or persons shall cast or lay any soile or things noisome, either in the Old Palace, or near unto Henry the Seventh his Chappell, or in any church-yard, upon payne to forfeit for every time offending in any the premises four-pence.

21. Item, That the scavengers or carter shall well and duely make clean and carry away the soile of the streets upon every such day, and in such convenient order, as it hath heretofore been lawfully used and accustomed, upon paine of imprisonment, and there to remaine during the space of twenty-four hours, for every time offending in this order.

22. Item, That no person or persons upon the same day after that the scavenger or carter shall have made clean any street as aforesaid, shall cast or lay any soile or

sweeping of any house, or other rubbish, or make any heaps of such like things in the same street, and especially upon any Saturday or Sunday, upon paine to pay for every time four-pence.

23. Item, That the Gate which leadeth to and from her Majesties bridge in Old Palace, shall be kept locked during the time of Divine Service, every sabbath day and other usuall holy daies, upon paine that the Keeper thereof shall forfeit for every time offending contrary to this order, twelve-pence.

24. Item, If any hogg or hoggs shall at any time be found upon the Common of Tuthill, and not being ringed or pegged, or shall be found wandering in any street or church-yard, that the owner of every such hogg shall forfeit and pay for every such hogg, and for every time offending in any of the premises, twelve-pence.

25. Item, That no person or persons shall cast or lay the soyle of the streets, or any other noisome thing or things whatsoever, in or upon any part of the Common of Tuthill, but onely in such place or places, and in such convenient order as from time to time shall be appointed by the two Chief Burgesses for the time being; nor that any person or persons shall digg or take away any sand or turfs of and from the said Common of Tuthill, without the lawful lycence of the Dean of Westminster, or his Officers, upon payne that every person that shall happen to offend in any of the premises, and for every time offending shall be committed to prison, and there to remaine for the space of twenty-four hours, and to pay such fine as shall be assessed by the Burgesses.*

26. Item, That if any Butcher, Poulterer, Fishmonger, or any other person or persons, shall put to sale within this City or Burrough, any corrupt or unlawful flesh or fish meat or poultry ware, that then the said corrupt and unwholesome meat shall be consumed with fire, or otherwise, by the discretion of the Burgesses and Assistants with the consent of the Searchers; and the owner thereof shall be committed to prison, and there to remain for the space of twenty-four hours for every time soe offending, and to pay such fine as shall be assessed by the Burgesses.

* Many of these Regulations are become impracticable, and others unnecessary; but that above is extremely wanted at this moment, from the pernicious custom of laying all the filth of the Town in a place so well inhabited.

27. Item, If any Butcher shall put any flesh meat to sale in the market upon any market day, and having his shopp in King-street, that then every such Butcher shall forfeit and pay for every time soe offending three shillings and four-pence.

28. Item, That no Butcher, or any other person or persons, shall put to sale any flesh-meat in the market, but only upon Saturday in the forenoon, viz. untill twelve of the clock at noon, according to custom used within the city of London, upon payne to forfeit and pay for every time offending herein, three shillings and four pence.

29. Item, If any Butcher, or any other person or persons, shall put to sale any veal, mutton, or lamb, wherein shall be used any indirect or deceitful dealing, contrary to the orders therein taken amongst the Butchers of London, or that shall put to sale the flesh of any ewe or lamb at any time or season contrary to the said orders, or that shall kill any kind of flesh meat in any place within this city, contrary to the said orders and custome of the city of London, that then every such person offending in any of the premisses, shall forfeit and pay for every time offending in this order, or any part or parcell thereof, three shillings and four-pence.

30. Item, That no Butcher or Butchers, or other person, shall scald any hoggs in any place contrary to the orders and custome aforesaid, nor shall put to sale any pork at any time or season contrary to the custome of the said city of London, upon payne to forfeit and pay for every time offending in any of the premisses three shillings and four-pence.

31. Item, That no Butcher, Poulterer, Fishmonger, or any other person or persons using the trade of selling or uttering of victualls or wares whatsoever, shall have his or their shopp window or windowes open upon any Sabbath-day, or upon other usuall holyday, or that shall make any open shew of any victualls or wares without his or their shopp or shoppes upon any the daies aforesaid; or that if any Butcher or Poulterer make open shew of any flesh meat or poultry-ware upon any other fasting daies contrary to the custom lawfully used within the city of London, that then every person offending in any of the premisses, shall forfeit and pay for every time offending in any part of this order three shillings and four-pence.

32. Item, To avoid all such abuses as may be committed by the said Butchers

and others, there shall be chosen and sworn at the Leet Court next after Easter yearly, and every year hereafter, three discreet persons haveing skill and knowledge in the said occupation, and shall be called by the name of Searchers, who upon their oaths shall be authorized to sarch the butchers meat and poultry wares, as well in the Butchers and Poulterers shops as in the market, upon market daies, and others bringing any kind of victualls to the said market; and that the Searchers may doe and deal as the Searchers in London are authorized touching the premisses; and if any person being appointed to the said office of Searcher, and shall refuse to serve the same by the space of one whole year, every such person soe refusing shall pay for his time twenty shillings.

33. Item, That no person or persons shall receive or take into his or her house, any sick person being infected with the plague, without the consent of the Burgess and Assistant of that Ward; and if any persons shall happen to be sick of the said infirmity, that then as well the owner of every such house as his and her household and family shall forbear to come amongst any other company, but to keep themselves within every such houses being infected as aforesaid, by the space of one and twenty daies next after the death of any such infected person, (except one person to fetch necessary provision for their reliefe) and not to hang or lay forth any infected clothes out of any such house during the time aforesaid, upon paine of open imprisonment in the Stocks by the space of twelve hours, and to receive further punishment by the discretion of the Burgesses and Assistants.

34. Item, The Burgesses and Assistants shall, in convenient order every Sabbath Day in the forenoon come to the Collegiate Church of St. Peter in Westminster, and there to be present all the time of the sermon, upon paine every one of them for every time makeing default without just cause shall forfeit and pay four pence.

35. Item, All the said Burgesses and their Assistants shall repaire and come to the Court House in Westminster every Tuesday (except the same shall be a holiday,) viz. in the term at one of the clock in the afternoone; and out of the term, at eight of the clock in the forenoon, and then and there to hear and examine such causes as they, by virtue of the said Statute be lawfully authorised, upon paine, that if any of the said Bargesses or As-

residents making default in not appearing at the houses and places appointed, shall forfeit and pay for every time soe offending without just cause or lawfull lett twelve-pence; and that they nor any of them shall at any time determine any thing without the consent of the Dean of Westminster, or the High Steward or his Deputy Steward, or the Town Clerk, according to the Statute in that case provided.

No. V.

AMENDMENTS proposed to the Act 14 Geo. 3, c. 90.

The new Act to extend to all Parishes and Liberties within a circle of miles from the Royal Exchange, according to the particular description and name of each.

The powers of all former Parochial and District Acts relating to the Watch and Lighting to be repealed, as far as they are inconsistent with the provisions of this Act.

That an Assessment be allowed to the amount of one shilling in the pound for the Watch only, and sixpence in the pound for Lighting.

That the powers of rating, paying the Watchmen, and appointing the Trustees, be continued as in 14 Geo. 3, c. 90.

That a sufficient number of Watchmen be appointed in each Parish or District, and that the Trustees do appoint such persons as are competent for the situation.

That the night be divided into two watches, and the Watchmen relieved once every night.

That the Watch be set every night at the Watchhouse by the Beadle and Constable of the night.

That the hours of watching be fixed from an hour not later than eight to seven during the months of November, December, January and February, from an hour not later than nine to six in March, April, September and October, and from an hour not later than nine to five in May, June, July and August.

That the Watchmen have regular beats assigned to them, and power to act in adjoining Parishes so as to protect the frontiers of each.

That a Patrole of one or more persons be appointed to perambulate the Parish, or part of the Parish assigned to them, to superintend the Watchmen, inspect the Alehouses and state of the Lamps, and report these, and all other occurrences of

the night, to the Constable of the night at the Watchhouse, and enter them in a book there. This Patrole to be on duty all the night.

The Patrole and Watchmen to be armed.

That a copy of the entries in the books at the Watchhouse be sent to the Police Magistrates of the District every morning, and another copy laid before the Trustees of the Parish at their meeting.

That the Parishes to be comprized in the Act be divided into Eight Districts, and that a district be assigned to each Police Office, including the Thames Police Office.

That the Magistrates be empowered to hear any complaint against the Watchmen for misconduct or incapacity, and discharge them either from their own view, or on such complaint; and certify the same to the Trustees of the Parish, who are to find other competent persons.

That a Constable of the Parish or Precinct do attend every night at the Watchhouse, to receive, and take charge of all persons brought in there, and also receive the Report of the Patroles, and transmit them to the Magistrates the next morning, and also to the Trustees: one-half only of the Constables to go out of office every year.

That there be appointed two Assistant High Constables in each Parish, to superintend and visit the Watchhouses occasionally, and see that the Constables do their duty. These Assistants to be paid out of the Parish Rates.

No. VIII.

REPORT (in 1772) from a Committee of the House of Commons, appointed to enquire into the several Burglaries and Robberies committed in London and Westminster.

The COMMITTEE appointed to enquire into the several Burglaries and Robberies that of late have been committed in and about the Cities of London and Westminster, and to consider of more effectual methods to prevent the same for the future; and to report the same, with their opinion thereupon, to the House, have, pursuant to the order of the House, enquired accordingly; and

Sir John Fielding, knight, being asked what number of houses have been broke open in and about the Cities of London and Westminster, and whether it is a growing evil? said, that all robberies with the

circumstances attending them, and particulars of goods stolen, are registered at his office, and from that register informations are grounded, and offenders are detected several years after the offences are committed; and he delivered in lists of houses broke, with computations of the goods stolen, from Michaelmas 1766 to 14th March 1770, in half-yearly periods; by which it appeared, that from Michaelmas 1766 to Lady-day 1767, 13 houses had been broke open, and goods stolen to the value of 239*l.*; from Lady-day 1767 to Michaelmas 1767, 36 houses, value 627*l.*; from Michaelmas 1767 to Lady-day 1768, 52 houses, valued 569*l.*; from Lady-day 1768 to Michaelmas 1768, 48 houses, value 1,332*l.*; from Michaelmas 1768 to Lady-day 1769, 35 houses, value 1,448*l.* 15*s.*; from Lady-day 1769 to Michaelmas 1769, 63 houses, value 1,616*l.* 6½*d.*; from Michaelmas 1769 to 14th March 1770, 104 houses, value 4,241*l.* He further informed the Committee, that it is supposed the last 104 houses were broke open by a number of house-breakers, not exceeding twenty, and few of them more than 20 years of age, 16 or 17 of whom are in custody, with little probability of their being convicted. That the evil increases amazingly, and never was at so great a height as since last Michaelmas. Being asked, what is the cause of this increase of house-breaking? he said, that felons formerly carried their goods to pawnbrokers, but by the present method of quick notice to pawnbrokers, silversmiths and others, that plan is defeated; and the housebreakers now go to Jews, who melt the plate immediately, and destroy other things that might be evidence, which in burglary can be nothing but the goods, though in other cases the person may be sworn to; that they disguise jewels by knocking them out of the sockets, so that they cannot be sworn to; that the present gang of house-breakers are sons of unfortunate people, and of no trade; that they began when boys as pickpockets, but turned house-breakers when they grew up, in order to procure a greater income to supply their increased expences. And he informed the Committee, that for twenty years a footpad has not escaped; that highwaymen cannot escape, upon account of the early information given to the aforesaid office, and the great number of prosecutors who always appear against them, which he thinks must in time put an end to that evil. He then said he had detected seve-

(VOL. XXII.)—Appendix.

ral persons in Duke's Place with plate, and has offered a reward of five guineas for apprehending one person in the same place. Being asked, what he thought of the present method of watching the town? he said, the watch is insufficient, their duty too hard, and pay too small; that he has known serjeants in the Guards employed as watchmen, that the watchmen are paid 8½ per night in Saint Margaret's Parish, and a gratuity of two guineas a year, out of which they find their own candle; that as they are paid monthly, they borrow their money of an usurer once a week; that in other parishes the watch are paid from 10*d.* to 1*s.* per night; that the watch in Westminster is in every parish under the direction of a separate commission, composed of persons who have served the offices of Churchwarden and Overseer; that Commissioners of the respective parishes appoint the beats of their Watchmen, without conferring together, which leaves the frontiers of each parish in a confused state, for that where one side of a street lies in one parish, and the other side in another parish, the watchman of one side cannot lend any assistance to persons on the other side, other than as a private person, except in cases of felony.

James Sayer, Esq. Deputy High Steward of Westminster, confirmed the above evidence, and added, that St. Margaret's Parish has a Select Vestry, the majority of which is composed of tradesmen; that they will pay no more than 8½*d.* a night to their Watchmen, and have no way of punishing them for neglect of duty than by dismissing them, which in fact is not a punishment, for they find it difficult to get men to serve in that office; and he further said, that their number is not sufficient.

Being asked the reason for changing the Constables from being parochial to be Constables for the whole City and Liberty, he said, That before 29th Geo. 2, Constables were parochial; that he apprehended the reason for the change was, that a Constable could not execute any official act out of his parish without being specially authorised so to do; he mentioned an instance of a Constable's being killed when he was serving a warrant out of his parish, that the person who killed him was tried and found guilty of manslaughter only, though he would have been guilty of murder if it had happened in the parish to which the Constable belonged.

(G)

Sir John Fielding being asked, what remedies he could suggest, to prevent the above evils, he produced two papers, relating to Constables, Watchmen and other Officers; which were read to and confirmed by him; and are as follow; viz.

Watchmen too old—should be from 25 to 50—their beats too extensive—should not exceed twenty houses, one each side of the way—Watchmen too few—the sum raised for the watch too little, being only four-pence in the pound—should be six-pence.

Ward Officers to be chosen out of those inhabitants that have served the office of Constable, and to have a good salary.

One half of the Constables to be discharged within the year, so that one half remaining two years, will be able to instruct the new Officers, and the whole duty will be done well.

If the new provisions for the Watch can be established by the Commissioners remaining where they are, it will save trouble, for then the money may be raised by them as it now is, and every parish may pay and cloath their own Watchmen, so that the appointment, distribution, direction, wages, number and punishment of the Watch may be in the Magistrates by a new commission, and the paying and cloathing be in the present Commissioners.

The words "a Constable of the City and Liberty of Westminster," to be placed over the Constables doors; the words, "Ward Officers" over the Ward Officers doors. Beadles by name to be discharged, and the necessary part of the duty they now do, to be performed by the Ward Officers.

That it would be right to confine the intended improvement and Constables to Westminster only, as the Watch in the adjoining parishes of Middlesex remain on the same footing as is originally settled by the Statute of Winchester.

SECOND PAPER.

1. The Watch of Westminster is extremely defective—the number ought to be increased, their pay augmented, and the whole direction of them put under one commission, and that commission should be Magistrates of the City and Liberty of Westminster—the Watch should be attended by Ward Officers, and relieved in the night, a whole night's duty being too hard.

2. The Round-houses should be capacious—no liquor should be sold in them—publicans should be punished for permitting Watchmen to tipple during their duty, and Watchmen should be particularly rewarded for diligence, and punished for neglect by the Civil Power.

3. High Constables should not quit their office at the end of three years—Constables should be increased—half the number only discharged annually—the Constable of the Night should be considered for his attendance on that duty and punished for neglect.

4. The power of raising money at present for the Watch is too confined, it should be enlarged, raised by the present commissioners—the Watchmen paid by them, but their number, direction and appointment, be by the new Commission of Magistrates.

5. Receivers of stolen goods, especially of those taken by burglary or highway robbery, should be made principals, with a power of mitigation in the Judge.

James Sayer, esq. being again examined, approved of Sir John Fielding's plan, and added that the Beadles are an unnecessary set of men, advanced in years, and servants to the Churchwardens and Overseers—are forty in number over the whole City and Liberty—they have an allowance of 20*l.* per annum a piece, which they may make up 30*l.*—that he apprehends if the number was increased to sixty, and the City and Liberty divided into so many Divisions, a Beadle to each Division, and the object of their duty to take up vagrants, they might be of great service—that if the Beadle was to have two shillings for every Vagrant he took up, and four shillings was given to any other person who should apprehend one, the one half to be deducted out of the Beadle's salary of that District, where the Vagrant was apprehended, it would have a good effect.

Sir John Fielding being again examined, said he thought the name of Beadle should be abolished, and that they should be called Ward Officers.

Mr. S. Rainsforth, High Constable of Westminster, being examined, said he had been in office twelve months—that he had visited the different night Watch-houses in the City and Liberty of Westminster, frequently from twelve to three in the morning—found many of the Peace Officers upon duty, some were not—that there is a general complaint of Peace Officers

neglecting their duty, from which neglect it is owing that the Watchmen and Beadles are not present, and this general neglect, he apprehends, is the reason why so many houses are robbed. —That he has frequently found seven or eight Watchmen together in an ale-house, he thinks that the High Constable should visit the Round-houses in the night time, once a month at least, or oftener if required, and agreed with sir John Fielding as to the number and pay of the Watchmen.

James Sayer, Esq. being again examined, said that Constables are appointed under Acts 29 and 31 Geo. 2, which Acts are in many articles defective; that eighty Constables, which is the number limited, are not sufficient; that they are appointed by the Leet Jury, which has been attended with great partialities, for the Leet Jury being composed of the Overseers of the several Parishes of the preceding year, they protect each other from serving the office of Constable; that in general opulent inhabitants are excused, and young tradesmen returned; that if a rich man is now and then returned, he is generally got off by pleading age or infirmities; that deputies are generally hired men, and though they cannot be appointed unless approved of by the Deputy High Steward, yet as it is impossible for him to get a true character of the person nominated, he finds many unfit persons are appointed, who he is informed make a trade of serving the office; for remedy of which he proposed, that the number of Constables should be increased to one hundred and twenty; he thinks the burthen of serving the office of Constable should not lay wholly on the trading inhabitants, as it does by the late Act; that by Common Law every person able and fit is liable to serve; that the fine for not serving the office should be enlarged from 8*l.* to 20*l.* which fine should be distributed among those that do serve; and he added, that twelve being obliged to attend daily during the session of parliament, as long as either House sits, the duty comes round to each individual every sixth day, eight being excepted, who may be sick or kept in reserve; during which attendance the Constables must necessarily neglect their own business. With respect to the High Constable, he said; it is an office of great burthen and trust; that by Law he the witness is obliged to appoint a substantial tradesman to that office; that the person appointed is not to continue in office above

three years, and is liable to a penalty of 20*l.* for refusing to serve, which penalty goes to the Poor of the Parish; upon which he observed, that the High Constable should not be a tradesman, because his power enables him to oblige the keepers of public-houses to deal with him, or those with whom he is concerned in his way of trade; that the penalty on persons refusing to serve the office should be increased; that the High Constable should have a reward for his service, and that the Constables of the Night should have a reward also.

Mr. Rainsforth, the High Constable of Westminster, being again examined, said he was of *Mr. Sayer's* opinion.

Sir John Fielding being again examined, said that Ballad-singers are a greater nuisance than Beggars, because they give opportunity to Pickpockets, by collecting people together; that the songs they sing are generally immoral and obscene; the people themselves capable of work, and the lowest and most abandoned order of people: for remedy of which, he proposed that all Ballad-singers should be considered as Vagrants, and be made liable to the same punishments, no person being a Vagrant now, but who comes within some one of the descriptions of vagrancy in the Vagrant Act; and the High Constable being again examined, informed the Committee, that he has often had warrants for taking up Ballad-singers; that he has apprehended a great many, notwithstanding which their numbers increase, and they are become a very great nuisance; they have often been dispersed, but still continue the practice.

Sir John Fielding being again examined, said, that the City of Westminster is a franchise under the Dean and Chapter of Westminster; that the Common Gaol thereof is called the Gatehouse, to which offenders of every kind, apprehended within the Liberty of Westminster, have been usually committed for some years back, to the number of 600 or 700 annually; that in this Gaol there is little or no allowance or provision for the Prisoners, but what arises from the charity of Passengers, seldom amounting to more than five or six shillings a week, the greatest part of which is given to the Beggar at the window for the day; that the said Gaol appears, from experience of the Magistrates, to be too small for the number, and too weak for the safe custody of Prisoners; that to this Gaol, persons in execution

for debts recovered in the Court of Conscience are committed; and he said he believed this is the only Gaol in England where there is not some provision for poor distressed Prisoners; and he added, that when a Magistrate commits a man to that Gaol for an assault, he does not know but he commits him there to starve; for these reasons, as well upon the principles of humanity as of civil policy, this ought to be remedied; and that on account of the vast increase of inhabitants, property, and number of offenders, there ought to be in Westminster a strong, capacious, and useful Gaol, and there is no such thing at present; that the said Gaol, called the Gatehouse, is a very old building, subject to be repaired by the said Dean and Chapter, who appoint the Gaoler; that the supposed original use of this Gaol was for the purposes of committing Clerks Convict; the Commission of Magistrates of Westminster is not later than Charles the First's reign; they began first to commit offenders to this Gaol, rather by sufferance than by right; and he observed that however proper it may have been for its original purposes, it is unequal to the present occasions, and, as he apprehends, cannot be altered without a Law; and he further informed the Committee, that the Magistrates of Westminster have represented this mischief to the Dean and Chapter, who acknowledge it, are willing to pull it down, and to give a piece of ground in their Royalty, in Tothill Fields, to build a new Gaol upon, and to subject the same, with every thing thereunto belonging, to the Magistrates of Westminster, under such regulations as the Legislature shall think proper, provided a sum be granted by the public for building the same; and he added, that Estimates have been made, by which it appears that a very effectual Gaol may be built for the sum of 2,500*l.*; in order therefore to remedy the inconveniences above mentioned, he proposed that such Gaol should be built and kept in repair out of the County Rate, which he said may be done without injury to the County at large, for this reason, that there is but one Rate at present for Middlesex and Westminster, near one-third of which is paid by the latter, since the increase of buildings there; that this proportion is much greater than the expences required by the Act for County Rates would subject Westminster to; and he added, that the Gaol called the House of Correction in Westminster is repaired

by the Magistrates of Westminster, and the expence is paid by virtue of their orders on the County Treasurer; that the same thing, if allowed by Parliament for the repair of the proposed new Gaol, will answer the purpose without separating the Rate.

James Sayer, esq. being again examined, concurred with *sir John Fielding* in every particular.

Sir John Fielding being again examined, informed the Committee, that about six or seven years ago, the Magistrates of Westminster had no other Court-house but a place at the bottom of the stairs, leading to the House of Commons, called Hell, to keep their Sessions in; the increase of business, and of offences in Westminster, made it impracticable to carry on the business there. The nuisance was represented by the Magistrates to the Lord Lieutenant, Lord Northumberland, who said he had then applied for redress, and told the Chairman that it could not be taken up by Government then, but would be in future considered; in the meantime, at his own expence, amounting to 800*l.* he directed the Chairman to prepare a large house in King-street Westminster, which was formerly a Tavern, to be made proper for a Court-house; that the Magistrates for their Sessions, the Burgesses for their Courts, the Lieutenancy for the Militia, Commissioners of Sewers for the execution of their business, Grand Juries for the Counties of Middlesex, Writs of Enquiries for the Sheriffs, and Meeting of Inhabitants for nominating their Representatives, should use the said building; for all which purposes it has been constantly, effectually and conveniently used; that it is scarce possible for the above business to be transacted without it, and the establishment of it is as essential to the Civil Power as any thing that has been mentioned; that the purchase of the said building, and fitting it up, cost the Duke of Northumberland near 4,000*l.* and he added, that this building also might be kept in repair by the County Rate, at an average of 30*l.* or 40*l.* a year.

James Sayer esq. confirmed the foregoing Evidence: And

Sir John Fielding said, he thinks the acting part of the Magistrates in Westminster is in as good a state as it ever was, and more free from imputations or neglect of duty; that it would be useful to have some persons of rank and condition in the Commission of the Peace for Westminster,

who would attend at the Quarter Sessions, where they would become acquainted with the conduct of the Magistrates in general, give a dignity to the commission, support the acting Magistrates in great occasions, and give encouragement to such of them as discharged their trust, becoming the honour of the commission, and discountenance those who did not; and he added, that for the last two or three years the Magistrates of Westminster have gone through very painful duty, and have been very diligent in it; and having been sensible of the necessity of their attendance, have mutually agreed to attend at any time or place, upon the least notice from their Chairman.

James Sayer, esq., being again examined, admitted that the Magistracy at present is composed in general of persons of character, and that justice is administered with activity, diligence and skill; but alleged that it has been otherwise formerly, and may be the case hereafter, and therefore he was of opinion that a regulation in the Magistracy of Westminster is necessary; that there should be a qualification of Justices; that they should have a reward for acting, as the most part of their time will be devoted to the public service; that the fees to be taken by their Clerks, should be appropriated to some public service, such as a Vagrant Hospital; that there should be certain Rotation Offices established by Law; that as he apprehends one such Office might be sufficient, if properly regulated; that the Rotation Office should do all the business, except in emergent cases; and that the private offices of Justices of the Peace should be abolished, because it sometimes happens that a man committed for a notorious bailable offence, is carried to another justice who bails him, without knowing the enormity of his offence: And

Sir John Fielding said, that in criminal offences that nearly regard the Public, it is impracticable to use a Rotation Office, as there are many things that are necessary to be kept secret; and though the whole of the circumstances must be known to the acting Magistrates, yet they cannot be known by a fresh Magistrate who attends in rotation.

And he added, that the great number of brothels and irregular taverns, carried on without licence from the Magistrates, are another great cause of robberies, burglaries and other disorders, and also of neglect of Watchmen and Constables of

the Night on their respective duties; that these taverns are kept by persons of the most abandoned characters, such as bawds, thieves, receivers of stolen goods, and Marshalsea Court and Sheriffs Officers, who keep lock-up houses; the principal of these houses are situate in Covent Garden; about 30 in St. Mary-le-Strand; about 12 in St. Martin's, in the vicinity of Covent-Garden; about 12 in St. Clement's; 5 or 6 at Charing-Cross, and in Hedgeslane about 20; that there are many more dispersed in different parts of Westminster, in Goodman's-Fields and Whitechapel, many of which are remarkably infamous, and are the cause of disorders of every kind; shelter for bullies to protect prostitutes, and for thieves; are a terror to the Watchmen and Peace Officers of the Night; a nuisance to the inhabitants in the neighbourhood, and difficult to be suppressed by prosecution, for want of evidence; and, in short, pregnant with every other mischief to society. That any person desirous of gaining a livelihood, by keeping a place of public entertainment, who is of good reputation, can obtain a licence with ease from the Magistrates to keep such house; when a public house in any neighbourhood happens to be vacant, that has been licenced before, the Magistrates of Middlesex and Westminster have long held it to be a rule essential to the public good rather to diminish than increase the number of public houses; that persons of abandoned characters, by applying to the Commissioners of the Stamp Office, may obtain a licence for selling wine; by virtue of such licences it is that the taverns above described are kept open; for the aforesaid Commissioners are empowered by Law to grant such licences to whom they shall think fit. That licences for selling spirituous liquors by retail are not granted by the Commissioners of Excise, unless the parties produce to them a licence under the hands and seals of two Justices of the Peace to sell ale. That Magistrates cannot by Law authorize any person to sell ale without a certificate of such person's being of good fame, and sober life and conversation; so that producing this licence to the Commissioners establishes their character with them, and takes away the necessity of any enquiry. For remedy of which, he proposed that wine licences should be placed by Law under the same restraints as the licences for selling spirituous liquors now are. This remedy, he apprehends, might probably

reduce the revenue of wine licences; if confined to the Bills of Mortality, it would, in his opinion, diminish it no more than 400*l* per annum; but if extended to Portsmouth, Plymouth, Chatham, and other Dockyards, it may lessen it 200*l* more. He added, that he thinks it more necessary to correct the evil in those parts, as it has a direct tendency, to corrupt and destroy the very vitals of the Constitution, the lives of the useful seamen, who, by means of these houses, become the objects of plunder as long as they have any money, and are induced to become robbers when they have none. And he informed the Committee, that there is another great evil, which is the cause of these disorders, namely, the immense number of common prostitutes, who mostly from necessity infest the streets of the City and Liberty of Westminster and parts adjacent, attended by common soldiers, and other bullies, to protect them from the Civil Power; these prostitutes, when they have secured the unwary customers, lead them to some of the aforesaid taverns, from whence they seldom escape without being robbed. The cause of this evil, as he apprehends, is the great difficulty, as the Law now stands, to punish those offenders, they being, as common prostitutes, scarce, if at all, within the description of any Statute now in being; and, headed, that this subjects Watchmen, Roundhouse-keepers, constables, and even the Magistrates themselves, to prosecutions from low Attornies. That the remedy, in his opinion, should be to declare that persons walking or plying in the said streets for lewd purposes, after the Watch is set; standing at the doors, or appearing at the windows of such taverns in an indecent manner for lewd purposes, shall be considered as Vagrants, and punished as such. That as to the circumstance of street beggars, it never came to his knowledge that they are under contribution to the Beadles.

Mr. *Rainsforth*, the High Constable, being called, delivered in a paper called the State of Watch in Westminster, which paper is hereunto annexed, and said, That all the Watchmen being assembled at Guildhall, on Saturday the 24th of March, to see the House-breakers, they appeared to him in general very infirm, and unfit to execute that office. Then

Mr. *Thomas Heath*, a Burgess of the Duchy of Lancaster, being examined, said, that both the Constables and Watch within the said Duchy are very insufficient and defective.

Upon the whole of which matter the Committee came to the following Resolutions; viz.

Resolved, 1. That it appears to this Committee, that since the 29th day of September last, 104 houses within the Cities of London, Westminster, and the parts adjacent, have been broke open, and plate, jewels, and other goods stolen therefrom, to the amount of 4,241*l*; that the said evil hath increased very much of late years, and is likely still to increase, unless some effectual provision is made to prevent it.

2. That it is the opinion of this Committee, that to put a stop to the said evil, the number of Constables in the City and Liberty of Westminster, St. Martin's le Grand, and such parts of the Duchy of Lancaster as are within the said Liberty, should be increased; and that all persons being householders within the same, other than the Members of both Houses of Parliament, acting Justices of the Peace, and certain other Officers and persons, should be made liable to serve as Constables, or pay a penalty for refusing to serve the said office; and that a new mode of appointing and discharging them should be adopted.

3. That it is the opinion of this Committee, that the number of Watchmen in the said places should be increased; more able persons appointed; their pay augmented; another method adopted for appointing them; that their beats or districts should be less extensive; their duty be made general, and that they should be put under one general direction.

4. That it is the opinion of this Committee, that the Beadles in many Parishes are not at present of sufficient service; that they should for the future be employed under another name, and under some general direction as Regulators of the Watchmen, and to take up Vagrants and other disorderly persons in their respective Wards; and that their number should be increased.

5. That it is the opinion of this Committee, that the duty of Constables and Watchmen, and of Beadles under another name, should be regulated with proper encouragements for doing their duty, and penalties for their neglect of it.

6. That it is the opinion of this Committee, that the receiving Stolen Goods, particularly Gold and Silver Plate and Jewels, should be made more penal; and the Receivers of them, particularly of those

taken by Burglary or Highway Robbery, be made principals.

7. That it is the opinion of this Committee, that provision should be made for transporting Criminals, which now are transported to America, to the Coast of Africa and to the East Indies.

8. That it is the opinion of this Committee, that common Ballad-singers, by collecting great numbers of people about them, give opportunities for picking pockets, and are a great nuisance, and that some effectual provision should be made for suppressing them.

9. That it is the opinion of this Committee, that the present unrestrained method of granting Licences to sell Wine in and about the City and Liberty of Westminster, gives an opportunity to persons of the most abandoned characters to open houses for the retailing of Wine to be drank in the said houses as taverns, which are frequented by every species of disorderly persons, and is a great cause of robberies and other disorders; and that the said method should be restrained.

10. That it is the opinion of this Committee, that the house in King Street, Westminster, called Guildhall, which is now the property of his Grace the Duke of Northumberland, and was some years ago fitted up by him at his own expence, hath been of great benefit in the holding the Sessions for the said City and Liberty, and for doing other essential public business regarding the same, and is absolutely necessary for those purposes.

11. That it is the opinion of this Committee, that the Prison called the Gatehouse, in the City of Westminster, to which a great number of criminals and debtors are committed, is too small, and totally unfit for the purposes of a Common Gaol in the present increased state of the said City and Liberty thereof; and that there is no certain allowance for the maintenance of the prisoners committed thereto.

12. That it is the opinion of this Committee, that a strong and capacious Gaol for the City and Liberty of Westminster should be built in another place, and some provision be made for the maintenance of the Prisoners which are or shall be committed to the Gatehouse, and to the said new Gaol when built.

13. That it is the opinion of this Committee, that larger and more convenient Round-houses should be provided in the said City and Liberty of Westminster, and in St. Martin's Le Grand, and that part of

the Duchy of Lancaster which is within the said Liberty, and that no liquor should be sold therein.

9 April, 1770.

No. IX.

REPORT from COMMITTEE (1793) on Westminster Nightly Watch.

The COMMITTEE who were appointed to enquire into the State of the Nightly Watch within the City and Liberty of Westminster, and to report the same, with their Opinion thereupon, to The House, have, pursuant to the Order of The House, enquired accordingly; a State whereof, together with the Resolutions of the Committee, are as followeth; viz.

Your Committee, in order to proceed in a regular manner, directed the several Parishes to lay before them the amount of the Watch Rate, with the number of Men employed on that service, and their Ages and Pay; in pursuance whereof they received several Returns, and from which the following Observations are extracted.

N^o 1. St. Paul's, Covent Garden, who collect about 646*l.* per annum; they employed twenty-two Watchmen, who are paid, for the Winter months 1*s.* 2*d.* per night, for the Summer 10*d.* and for the Spring and Autumn 11*d.* they act under the direction of Act 9 George the 2nd.

N^o 2. St. Giles in the Fields, and St. George Bloomsbury. Your Committee received from these Parishes two Returns, one of which gave the account of the united Parishes, and the other of St. George Bloomsbury only; from whence it appears that they are under no particular Act of Parliament, but exercise their authority under the Statute of Winchester; that the Constables collect the money from the inhabitants, who pay what they please, and that the Constables never account for the same; that the above Statute relates only to inhabitants keeping Watch and Ward: above 200 inhabitants do not pay any thing, and most of them are so dissatisfied with this mode of watching, that they have entered into voluntary subscriptions to pay other Watchmen than those provided by the Constables.

The Committee think proper to represent to the House, that during the course of their enquiry relative to these Parishes, some of the inhabitants of St. George's gave evidence, that they apprehended they ought to be considered in the article of watching, distinct and separate from

St. Giles, and Your Committee taking the same into consideration, an Act made in the 10th year of Queen Ann, for enlarging the time given to the Commissioners for building fifty new Churches, was read, whereby it appears that the said two Parishes were to be united as to the Poores Rates, Church Rates, Highway Rates, and other Parish Rates, but no mention is made of a Watch Rate, therefore think the words (other Parish Rates) does not comprehend the Watch Rates.

That there are two Divisions, and two Constables, whose jurisdiction extends equally over the whole Parishes.

N° 3. St. Andrew's Holborn above the Bars, and St. George the Martyr; the Watch Rate, at 4d. in the pound, amounts to 856*l.*; that they employ 30 Watchmen and six Patrole men, who are armed; that the pay of the Watchmen is 1*s.* 3*d.* per night in Winter, and 1*s.* in Summer; the pay of the Patrole men 1*s.* 6*d.* per night in Winter, and 1*s.* 3*d.* per night in Summer; that the Fourpenny Rate, which they are limited to by Act of Parliament, will not defray the expences, the deficiency whereof used to be made good out of the surplus of the Rate for Cleansing and Lighting, which is now appropriated to another purpose; that the Parish is so well satisfied with the above Regulations of Patroles as well as Watchmen; that a voluntary Subscription has been raised for providing Great Coats and Hats for the Watchmen and Patroles.

N° 4. Liberty of Saffron Hill. The rate at 5*d.* in the pound, amounts to about 280*l.* per annum; they employ 13 Watchmen all the year, and two Patrole Men for four Winter months; the pay of the Watch is 1*s.* 2*d.* per night in Winter, and 1*s.* in Summer, and the pay of the two Patrole Men is 10*s.* 6*d.* per week each. The Watch and Beadles are regulated by Act 10th Geo. II. which appoints 40 Trustees to manage the affairs of the Parish.

N° 5. St. James, Westminster. The collection last year was 1,497*l.*; they employ 56 Watchmen, at 1*s.* 1*d.* per night in Winter, and 9*d.* in Summer, and 1*d.* in Spring and Autumn.

N° 6. St. Clement Danes. The collection last year was 670*l.*; they employ 25 Watchmen, at 1*s.* 2*d.* per night in Winter, and 10*d.* in Summer; they are empowered to raise no more than 4*d.* in the pound.

N° 7. St. Ann, Westminster; the rate at 5*d.* in the pound amounts to 809*l.*; they employ 25 Watchmen, at 10*d.* per night in Winter, and 8*d.* per night in Summer.

N° 8. St. George, Hanover-square. The collection from Midsummer 1770, to Midsummer 1771, was 1,431*l.*; they employ 61 Watchmen at 1*s.* per night each, and four Patrole Watchmen.

N° 9. St. Margaret and St. John the Evangelist. The collection last year was for both Parishes, 1,250*l.*; at 6*d.* in the pound, and the inhabitants charged at rack rent; they employ 48 Watchmen at 1*s.* 2*d.* per night in Winter, and 10*d.* per night in Summer.

N° 10. St. Mary le Strand. The collection the last year was 89*l.*; they employ three Watchmen, at 18*l.* 5*s.* per annum each; and the remainder of the money collected is retained by the Beadle, for providing an apartment as a Watch-house, Fire and Candles therein, superintending the Watchmen, and collecting the Money.

N° 11. St. Martin in the Fields. The collection at 4*d.* in the pound amounts to 894*l.*; they employ 85 Watchmen at 18*l.* per annum each.

N° 12. Precinct of the Savoy. The collection at 4*d.* in the pound amounts to 17*l.* per annum; they employ one Watchman at 1*s.* 2*d.* per night in Winter, and 10*d.* per night in Summer.

Your Committee having considered the above particulars, find, that the mode of watching and pay of the men is very irregular and various; that in some parishes they employ Patroles, and in others Watchmen; and that the Statute of Winchester, being very obsolete, is a very improper Regulation.

Upon the whole matter, the Committee came to the following Resolutions:

1. That it is the opinion of this Committee, that the present mode of watching, and pay of the Watchmen, within the City and Liberty of Westminster, is very irregular and various, and ought to be put under proper Regulations.

2. That it is the opinion of this Committee, that it would tend to the safety of the inhabitants of the said City and Liberty, if a regular and uniform Watch, with Patroles, was established under proper Regulations.

3. That it is the opinion of this Committee, that it will be necessary to levy a Rate upon the inhabitants, to answer the above purposes.

4. That it is the opinion of this Committee, that in levying the said Rate, the two Parishes of St. George Bloomsbury, and St. Giles in the Fields, ought to be

considered as one Parish, in like manner as they are in the collection of Poor and Church Rates.

5. That it is the opinion of this Committee, that Constables of the Night should be appointed, who, as well as the Beadles,

Watchmen, and Patrole Men, should be under the directions of proper Persons in each Parish, to be called Directors of the Watch.

15 February, 1773.

PAPERS RELATING TO THE EAST INDIA COMPANY'S CHARTER, &c.

Ordered, by the House of Commons, to be printed, 14 April 1812.

Copies of CORRESPONDENCE that has taken place between the PRESIDENT of the Commissioners for the Affairs of India, and the CHAIRMAN and DEPUTY CHAIRMAN of the Court of Directors of the East India Company;—together with the MINUTES of the Court of Directors of the said Company;—respecting the Renewal of their EXCLUSIVE PRIVILEGES:—As laid before the Proprietors of East India Stock, at their General Court, on the 25th of March 1812.

At a SECRET COMMITTEE of Correspondence, the 5th October 1808.

Read a Letter from the Right Hon. Robert Dundas to The Chairs, dated the 30th September; desiring to ascertain the opinion of the Court, as to the propriety and expediency of bringing forward, in the next Session of Parliament, the subject of renewing the Company's Charter. The Committee having deliberated thereon, agreed on the substance of an Answer, to be further considered at their next meeting.

LETTER from the Right Hon. Robert Dundas to the Chairman and Deputy Chairman; noticed in the preceding Minute.

Melville Castle, Sept. 30, 1808.

Gentlemen; The propriety and expediency of applying to Parliament for a renewal of the privileges of exclusive trade enjoyed by the East India Company, with such modifications as may be deemed necessary, and for the continuance of the system of government in the British Territories in India on its present basis, but with such amendments, also, as the experience of its effects may appear to demand, having lately been the subject of frequent consideration and discussion, you will probably concur with me in opinion, that it is advisable now to ascertain, whether the Court of Directors are desirous of agi-

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tating the question at present, and of submitting it, in all its details, to the early consideration of Parliament. I have the honour to be, &c. ROBERT DUNDAS.

To the Chairman and Deputy Chairman of the East India Company.

At a SECRET COMMITTEE of Correspondence, the 12th of Oct. 1808.

Agreed to the following draft of an Answer to the letter of the 30th ultimo, from the Right Hon. Robert Dundas.

(Secret.) *East India House, Oct. 12, 1808.*

Sir; We now propose to do ourselves the honour of replying to your letter of the 30th of last month. From the communications we have at different times had with the Members of the Court of Directors, we are well assured it is the general sense of that Body, that it will be for the interest of the Public and the Company, that the Charter should be early renewed. Convinced that this is their opinion, and apprehensive lest inconvenience might be produced, by setting this important subject afloat before it was in some degree matured, we have not thought it necessary formally to resort to the Court for a declaration of their judgment upon the question you are pleased to propose to us; but we have, in order to obtain what we conceive to be, with the knowledge we before possessed, sufficient warrant to us to give an answer to your preliminary enquiry, laid your letter before a Secret Committee of Correspondence: and we are authorized to state it to be their opinion, as it is our own, not only that the interests of the Public, as well as of the Company, will be best consulted, by continuing the present system of Indian administration, but that it is material the Charter should be speedily renewed.

With respect to any modifications which you or His Majesty's Government may have in contemplation to propose, we shall be happy to be made acquainted with (H)

them, and to bring them under the most serious consideration of this House. We can at present only state, that we trust there will be no disposition to introduce any change, that would alter or weaken the main principles and substance of the present system, which, in the opinion of the Company, is essential to the due management and preservation of British India; and that, with respect to minor points, as far as they may be really compatible with those essential objects, the Court will not be influenced by any partial views to withhold from them the fair consideration due to them.

Glad that you have seen it proper to bring forward this weighty subject, and desirous to be favoured with your further communications upon it, as soon as may suit your convenience, We have the honour to be, Sir, &c. EDWARD PARRY,
CHARLES GRANT.

The Right Hon. Robert Dundas,
&c. &c. &c.

At a SECRET COURT of DIRECTORS,
held on Wednesday, the 7th Dec.
1808.

The Chairman laid before the Court :— Minutes of a Secret Committee of Correspondence, held the 5th October last; Letter from the Right Hon. Robert Dundas to the Chairs, dated the 30th September last, referred to in the Minutes above-mentioned; Minutes of a Secret Committee of Correspondence, held the 12th October last; and draft of a Letter from the Chairs to Mr. Dundas, dated the same day. It was then, on a motion, Resolved unanimously, That this Court approve the proceedings of the Secret Committee of Correspondence, of the 5th and 12th of October, and the Letter to the Right Hon. Robert Dundas of the last-mentioned date.

At a SECRET COURT of DIRECTORS,
held on Friday, the 16th December
1808.

Minutes of the 7th instant were read and approved.

Draft of a letter from the Chairman and Deputy to the Right Hon. Robert Dundas, offering some suggestions of a general nature, as the principal foundations on which a new agreement between the Public and the East India Company may be placed, was read and unanimously approved, being as follows; viz.

East India House, Dec. 16, 1808.

Sir; In consequence of a conference

which we lately had the honour to hold with you, we have laid before the Court of Directors the letter which you were pleased to write to us, under date the 30th September last, on the subject of renewing the Company's Charter, together with the answer which we returned to that letter, on the 12th October following; and we are now instructed by the Court to state to you, that they approve of that answer, and are ready to enter with you, through the medium of their Committee of Correspondence, into a consideration of the various objects to which it may be proper to attend, in bringing forward so important a measure.

At the present moment it would, in the opinion of the Court, be premature in them, to proceed to any detailed specification of those objects, to which it may be proper, on part of the Company, to attend, or to anticipate any discussions, which it may be the wish of His Majesty's Ministers to propose; but the Court beg leave to offer some suggestions of a general nature, as the principal foundations on which a new agreement between the Public and the East India Company may be placed.

1st. The system by which the legislature has continued to the Company the government of the territories acquired by it in the East, with a regulated monopoly of the trade, has been held by the most eminent persons conversant with that quarter and its affairs, to be most expedient, both for the foreign and domestic interests of this country. Under it, those territories have been improved, and the security and happiness of the vast population they contain have been signally increased. It is also a system which establishes salutary checks for the exercise of the authority lodged in this country over the Indian administration, and for all the local details of that administration, in its political, judicial, financial, and commercial departments; and provides with singular felicity for a succession of a body of able and honourable European servants, who yield in general character and utility to no class of public functionaries under the Empire. In like manner, the constitution of the Indian army has proved itself calculated to produce a body of officers of high military spirit, and of very distinguished skill and conduct. The Court, therefore, trust that no material change in this system; no change which would affect its principles or impair its efficiency, will be proposed.

2d. In this case, it will be unnecessary

to enter into any discussion of the right of the Company to the territorial possessions; a right which they hold to be clear, and must always maintain, as flowing from their acquisition of those territories, under due authority, and after long hazards and vicissitudes, and great expence.

3d. The situation of the Company is, at this time, very different from what it was at the last renewal of the Charter, in 1793. European war, with hardly any intermission through the whole of the period that has since elapsed, has exceedingly increased the expences, and reduced the profits of the Company at home; and has likewise enlarged the scale of expences abroad; where, moreover, wars with the Native Powers have been repeatedly carried on, to the vast accumulation of the Indian debt, now advanced from eight millions sterling, at which it stood in 1793, to about thirty-two millions. Without meaning at all to advert, in this place, to the question concerning the policy of some of those wars with the Princes of India, it is safe and proper to affirm, that they were not, in any degree, directed by the Executive Body of the Company, but proceeded from causes which that Body could not controul. As, in consequence of all the events which have happened since the year 1793, the benefits intended to the Proprietors of East-India Stock, by the Charter then passed, have not been realized; so the Court trust, that in the formation of a new Charter, due care will be taken to secure their proper share of advantage in any future amelioration of the Company's affairs, and especially that no measure will be adopted, which can have the effect of reducing the value of their capital stock. The dividend on that stock, which is only equivalent to the legal interest of money, is all that the proprietors have ever received from the united sources of Indian revenue and Indian commerce, whilst the country has been enriched by the long-continued influx of private wealth, and raised in the scale of nations by the political importance of the Indian empire.

4th. The liquidation of the Indian debt is, on all hands, agreed to be a measure of indispensable necessity. From the magnitude to which the debt has now risen, and the circumstances of the present unexampled time, the aid of the Public will probably be necessary to the attainment of this most desirable object.

For the aid that may thus be afforded, the Court conceive that sufficient means of reimbursement from the Indian territory and revenue may be found; and the arrangement of a plan, for these purposes, might, as the Court conceive, form a very material part of the provisions of the new Charter.

5th. To apportion duly between the Public and the Company the military expences of the Indian empire, is another measure now become unavoidable. For wars growing out of the Indian system, or out of sources purely Indian, the revenues and other means of the Company were long made to suffice, including even the charges of occasional attacks upon the Indian settlements of European nations; but the influence of European war has, in the present protracted period of hostility, extended itself more and more to India, occasioning the expence of various distant expeditions, and the increase of the military establishment, particularly in the European troops of His Majesty, which from being twenty years ago only a very few regiments, now amount to above twenty thousand men, and those of the most expensive description of troops composing the military force of British India: nor is it at all improbable, that from the avowed design of France to invade our Indian possessions with great armies by land, it may be necessary still largely to augment our European force in that quarter. For a war of this description the Indian revenues, if unincumbered with debt, would be very inadequate. It would be an European war for European objects; a struggle between Great Britain and France, on the soil of India, for the maintenance and support of their power in Europe. For such an object, to which the national funds only are commensurate, the national funds undoubtedly ought to provide; and as we know that, in this, we state only what your own mind has already perceived and approved, we the more confidently hope, that in the new Charter proper attention will be paid to the due regulation of so important a concern.

6th. As the early renewal of the Charter will serve to strengthen the hands of the Company in the transaction of their affairs, and improve their credit, so its renewal, for the like period as the present one runs, and from the time of its expiration, would conduce to the same ends; and the Court are not aware of any objec-

tion to the proposition of this term. We have the honour to be, Sir, &c.

EDWARD PARRY,
CHARLES GRANT.

The Right Honourable Robert
Dundas, &c. &c. &c.

At a SECRET COURT of DIRECTORS,
held on Friday the 13th of January,
1809.

LETTER from the Right Hon. Robert Dundas, dated the 28th December last, to the Chairman and Deputy, in reply to their letter of the 16th December, was read; viz.

Downing Street, Dec. 28, 1808.

Gentlemen; In submitting to your consideration such observations as have occurred to me on your letter of the 16th instant, it is necessary that you should understand them to be merely preliminary, in contemplation of future discussions, and by no means as the result of any plan or projected system, matured in concert with His Majesty's confidential Servants. It will depend on the judgment which the Court of Directors may form on the propriety or necessity of adhering to the present system of their Indian trade and administration in all its parts, whether I shall be enabled to hold out to them any expectation, that their application to Parliament for a renewal of the Company's Charter will meet with the concurrence of government.

I shall follow the order adopted in your letter, in respect to the subjects which you have particularly mentioned, and shall offer some additional remarks on any other important branches of the present system, in which alterations may probably be deemed indispensibly necessary.

1st. Concurring in substance with the proposition contained in the first article, I shall not enlarge upon its details. I have not yet heard or read any arguments against the continuance of the system under which the British Possessions in India are governed, of sufficient weight to counterbalance the practical benefits which have been derived from it, in their increased and increasing prosperity, and the general security and happiness of their inhabitants. It is possible that the same effects might have been produced under a government immediately dependent on the Crown; but for the attainment of those objects, the experiment is, at least, unnecessary, and it might be attended with dangers to the Constitution

of this Country, which, if they can be avoided, it would be unwise to encounter. Any alteration, therefore, which may be suggested in this part of the system, will probably be only in its details. It may, however, be deemed advisable, to extend the controuling authority of the Board of Commissioners to such proceedings of the Court of Directors in England; as are immediately connected with the government of revenues of the Company's territorial possessions in India, more especially if the suggestion contained in your fourth Article should be adopted.

2d. In the view which I have already taken of the proposition contained in the preceding article, it is certainly unnecessary to discuss the question of the Company's right to the permanent possessions of the British territories in India. It is impossible that this right should be relinquished on the part of the Public, or that a claim can be admitted on the part of the Company, to the extent which has sometimes been maintained, and to which you seem to have adverted in the second article.

3d. It is equally impossible to acquiesce in all the reasoning, though I am perfectly willing to concur in the conclusion deduced from it in the third article. I think it very desirable, that no measure should be adopted, in the renewal of the Charter, which would have the effect of reducing the value of the capital stock of the East-India Company, and that due care should be taken to secure their proper share of advantage, in any future amelioration of their affairs; but as the law has regulated the mode in which those affairs, at home and abroad, should be administered, I cannot enter into the distinction which is stated in this article, and which I have met with on other occasions, as to the equitable claim of the Company to any remuneration from the Public, or other benefit, on account of wars, or other events which, as represented in your letter, did not originate in "the Executive Body of the Company, but proceeded from causes which that Body could not controul."

It would be premature, in this stage of the discussion, to enter into any details, as to the proportion of benefit to be derived by the Company or the Public, respectively, from any future amelioration in the state of your finances; and any contingent expectation of that nature must, at all events, be postponed, till a large portion of the Indian debt has been discharged.

4th. The liquidation of that debt is undoubtedly a measure of indispensable necessity, not only to the Company but to the Public. If we were now called upon to discuss the right of the Public to the territorial revenues which have been obtained in India, either by cession or conquest, it would be impossible to relieve the question from the fair claims of the Company and their creditors to a reimbursement of the expences which have been incurred, and the discharge of the debts which have been contracted, in the acquisition and maintenance of those possessions. Entertaining that opinion, and convinced that the liquidation of the Indian debt, in the most speedy and effectual mode, would be a measure of mutual interest and advantage, I do not suppose that your suggestion in the fourth article would be objected to by Government, provided the necessity, or at least the expediency of such an interference, on the part of the Public, is made obvious and apparent, and provided, also, that sufficient security is afforded for the punctual payment of the interest, and of an adequate sinking fund, for the liquidation of the principal of any sums advanced for that purpose. I need not remind you, however, that any such aid from the Public will be unavailing, and the relief afforded by it will be temporary and delusive, unless by the zealous exertions of your governments abroad, and the minute and detailed investigation and unremitting attention of the Court of Directors, the ordinary expenditure in India, including the interest of debt, shall be brought within the limit of your annual income. The most sanguine expectations of a result even more favourable, and of a large surplus revenue above your ordinary expences in time of peace, have recently been conveyed to you by Lord Minto; but I trust that the Court of Directors will not be induced by those hopes, however well founded, to relax in their exertions. Every item of those, or any other estimates, which the Court may exhibit, must be strictly scrutinized and compared with the actual results of former years, and with the detailed account of any reductions which may have been ordered or carried into effect.

5th. I can have no hesitation in acceding, with some limitations, to the principle for which you contend in your fifth article. It is absurd and unreasonable to suppose, that the East-India Company

out of their own revenues, can long maintain a contest against the power of France, aided by the greater part of Europe and a large portion of Asia. If the principal theatre of the war between European nations is to be transferred to Hindostan, it must be supported to a considerable extent, by European resources; and if our empire in India is an object worth preserving, this country must contribute to its defence, against any attack of the description which we have been taught to expect. The extraordinary expences incurred in the necessary preparations for such a warfare, or in the actual contest, ought not, in justice, to be imposed as a burthen on the Company alone, even if they were able to sustain it.

6th. I am not aware of any reason for extending the duration of the Charter beyond such a limit, as, with the unexpired term, will be equal to the period granted in 1793; but I state this merely on the first consideration of the subject; and if the general question is to be discussed, I shall pay due attention to any suggestions which the Court may think it right to offer on that particular point.

Having thus adverted, at greater length perhaps than was necessary, to the various topics introduced into your letter, I shall proceed to state such observations as appear to me necessary to be submitted to the consideration of the Court of Directors, for the purpose of enabling them finally to decide, whether, under the circumstances of the present situation of the Company's affairs, and of the expectations which will probably be entertained by the public, and sanctioned by government, they will adhere to their intention of applying now to parliament for a renewal of the Company's Charter.

It will readily occur to the Court, that whenever an opportunity is afforded of deciding in parliament on the propriety of continuing in the Company any privileges of a commercial nature, it will be important to consider, whether the system established by the Act of 1793, for the trade of private individuals between Britain and India, has answered the expectations, or fulfilled the intentions of the legislature. It is wholly unnecessary for me, at present to enter into any detail of the various discussions which have taken place on that subject. The arguments on both sides of the question must be familiar to the Court, and the opinions of those persons who have turned their attention to it have, in all pro-

bability been long since fixed and settled : it is fit, therefore, that the Court should now understand distinctly, that I cannot hold out to them the expectation, that His Majesty's Ministers will concur in an application to Parliament for a renewal of any privileges to the East India Company, which will prevent British merchants and manufacturers from trading to and from India, and the other countries within the present limits of the Company's exclusive trade (the dominions of the empire of China excepted,) in ships and vessels hired or freighted by themselves, instead of being confined, as at present, to ships in the service of the Company, or licenced by the Court of Directors. In the detail of any legislative provisions which it might be expedient to enact on this subject, it would be absolutely necessary to guard against the abuses, which would arise, from facilities thus afforded to persons attempting to settle and reside in the British territories, without a licence from the Company, or without the sanction or knowledge of the local governments.

There are various other points to which it would also be necessary to pay due attention, not only as important to the Company and to the general trade of the country, but essential to the security and easy collection of the public revenue. It would obviously, however, be premature, on this occasion, to enter into any further detail, and I have confined myself to a mere statement of the general proposition.

Another point, which would probably be deemed indispensable, is an alteration in the military system in India, for the removal of those jealousies and divisions, which have unfortunately been too prevalent, between the different branches of the military service in that quarter, and which must, at all times, be highly prejudicial to the public interest ; and for the correction of the anomalous system of divided responsibility, which prevails at present in this country, in every thing that relates to the military defence of India. The only effectual remedy for these evils will, probably, be found in arrangements for consolidating your Indian Army with the King's troops, founded upon the plan so strongly recommended by lord Cornwallis, with such modifications as the actual constitution of your service may render expedient or necessary. These arrangements need not be attended with any alteration in the system of promotion now in operation among the officers of the native

branch of the service, or with any diminution (they might more probably produce an increase) of any other professional advantages which those officers now enjoy ; neither would they, in any degree, interfere with the general authority now possessed by the Court of Directors and the Governments in India over all his Majesty's forces serving in those parts, or with their controul over all disbursements of a military nature. I am, moreover, not aware of any reason against continuing in the Court of Directors the nomination of all cadets, destined to hold commissions in the Indian army.

Having thus stated to you, for the consideration of the Court of Directors, the principal points to which I was desirous of drawing their attention upon this occasion, I have only to assure you, that it will be the earnest desire of His Majesty's Government, to suggest to Parliament such a system only, as shall be conformable to the principles on which the regulations of 1784 and 1793 were founded, as will secure to this kingdom all the benefit that can practicably be derived from its trade with our possessions in India, and to the natives of those countries a government, and an administration of laws, suited to their customs, habits, and prejudices, and consistent with the British character, and which shall also be strong and efficient, without adding unnecessarily to the authority of the Executive Government at home, or increasing, to any dangerous extent, the influence of the Crown. I have the honour to be, Gentlemen, &c.

ROBERT DUNDAS.

To the Chairman and Deputy
Chairman of the East
India Company.

Draft of a proposed Letter, in reply, prepared by the Committee of Correspondence, was also read.

Resolved, That the said draft be taken into consideration on Tuesday next, the 17th inst.

At a SECRET COURT OF DIRECTORS,
held on Tuesday, the 17th of January, 1809.

The Draft of a proposed Letter to Mr. Dundas, which was read the 13th instant, being again read ; Resolved unanimously, That this Court approve the said Letter.

LETTER from the Chairman and Deputy Chairman to the right hon. Robert Dundas ; noticed in the preceding Minute.

East India House, Jan. 13, 1809.

Sir; The letter which you did us the honour to address to us, on the 28th of last month, on the important subject of a renewal of the Company's Charter, has received the most serious consideration of the Court of Directors, and we are, by their unanimous resolution, instructed to submit to you the following answer to it.

The Court having, in the letter which we had the honour to address to you on the 16th of last month, thought it sufficient to sketch the outlines of those principles and propositions which should, in their opinion, form the basis of a new Charter, and the reply you have been pleased to make to it, declaring the same intention of stating observations merely preliminary, and "not the result of any plan or projected system, matured in concert with his Majesty's confidential servants," our present letter will abstain from any discussion of minor points, those especially relating to the proceedings of the Court of Directors with servants of the Company returned from India, to which article your letter is understood to allude; and likewise from some other points, connected with the exercise of their authority at home, which may be found to require revision and modification. Neither can it be necessary to go now into the subject of Indian Expenditure, although it is impossible, after the notice taken of it in your letter, to omit saying, that the Court feel with the liveliest solicitude, how indispensable it is to reduce that article far below the income, and are determined to act accordingly.

The attention of the Court will, therefore, be confined, at present, to two propositions of the highest importance, contained in your letter; the one suggesting such an enlargement of the trade of individuals with British India, as shall admit into it indiscriminately the merchants and the ships of this country; and the other, the transfer of the Company's Indian army to his Majesty. If the propositions had not been accompanied by the declaration with which your letter concludes, they would have filled the Court with the deepest concern; but you are pleased to close the whole of your observations with an assurance, "that it will be the earnest desire of his Majesty's government to suggest to Parliament such a system only, as shall be conformable to the principles on which the regulations of 1784 and 1793 were founded, as will secure to this kingdom all the benefit that can practicably

be derived from its trade with our possessions in India, and to the natives of those countries a government and an administration of laws, suited to their customs, habits, and prejudices, and consistent with the British character, and which shall also be strong and efficient, without adding unnecessarily to the authority of the Executive Government at home, or increasing, to any dangerous extent, the influence of the Crown." Satisfied, by this declaration, that his Majesty's Government understand the interests of this country and of British India too well, to intend any alteration that would subvert or endanger the system by which those vast possessions have been acquired, governed, and improved, and by which alone they can be held, to the mutual benefit of their immense population and of the paramount state, the Court must, of course, believe, that the propositions which have just been quoted, are supposed to be compatible with the continuance of that system, or reducible to a consistency with it. These suppositions the Court are now called upon to examine, and they will endeavour to do so with the respect due to the authority with which they have to treat, with the duty which they owe to their constituents, and with that regard for the interests of their country, which they do not intend, nor feel themselves required to sink, in supporting the integrity of the present Indian system.

If either of the two propositions, respecting the Indian trade and the Indian army, were to be acted upon, in the sense which the terms of it seem obviously to convey, the Court have no hesitation in declaring their decided conviction, that it would effectually supersede and destroy, not merely the rights of the East India Company, but the system of Indian administration, established by the Acts of 1784 and 1793; and with respect to the latter proposition, for the transfer of the native army, it appears to be incapable of any modification, which would not still make the overthrow of the present system the certain consequence of it. The Court will take the liberty to state the reasons on which these opinions are founded, with as much fulness as the bounds of a letter, and the dispatch necessary at this period, will permit, premising only, that in the time and space to which they must now confine themselves, many things, belonging to the consideration of both subjects, must be omitted.

With respect to the Private Trade, the Company are not governed by narrow considerations of commercial profit or commercial jealousy; and, in fact, the Indian trade, as an object of gain, has gradually ceased to be of importance, either to the Company or to individuals. The admission into it already accorded to British residents in India, with the prodigious increase of the cotton manufactures of Europe, the changed circumstances of the European Continent, and the almost incessant wars which have prevailed for the last sixteen years (wars still without any near prospect of termination) have reduced the value of that trade to a very low point. The Court are actuated by a thorough persuasion, that the unlimited freedom, for which some persons have, of late years, contended, would have political consequences more injurious to the power of this country and of British India, than the advantages anticipated by sanguine minds, from an enlargement of the commerce, could compensate, if those advantages were to be realized; and that, moreover, the expectation of such advantages is unfounded, resulting from general presumptions, which are contradicted by the nature of the Indian people, climate, and productions, and by the experience of more than two centuries.

In any scheme of intercourse, purely commercial, between this Country and India, the leading objects must be to export as many as possible of our home manufactures, and to import those commodities, which would either beneficially supply our own consumption, or the demand of other countries, European or Transatlantic: and it is, no doubt, imagined by many persons, that if the trade to India were perfectly free, these objects could be attained, in a degree extending far beyond its present scale. The ardour of individual enterprise, it will be thought, could find out channels, which the settled routine of a Company cannot explore, and carry on commercial operations more economically and expeditiously than suits with the habits of monopoly, whilst our most active rivals in the Indian trade would thus be best counteracted. The present times, it will also be said, peculiarly demand new attempts and discoveries in commerce, and his Majesty's government may very naturally wish, at such a crisis, to procure for the country every possible facility for the exertion of its commercial spirit, and the employment of its commercial capital.

But before a change in its principle altogether novel, and obviously connected with national interests of the highest importance, is adopted, it ought to be seen, not only on what rational grounds the expectation of advantages entertained from it rests, but to what consequences so material a change might expose the country and its Indian dependencies.

Now, with respect to the benefits supposed to be derivable from opening the trade with India, it is, in the first place, to be observed, that no material enlargement, if any enlargement at all, is to be expected in the exports of our manufactures to that quarter. The records of the Company, for two centuries, are filled with accounts of their endeavours to extend the sale of British products in India, and of the little success which has attended them. The French, Dutch, and other European nations trading thither, have equally failed in introducing the manufactures of Europe there. This was not owing to their trading chiefly in the form of Companies: the Americans, who within the last twenty years have entered into the Indian commerce, and traded largely, not as a Company, but by numerous individuals, each pursuing his own scheme in his own way, in which course no part of the East is left unexplored, carry hardly any European manufactures thither, their chief article for the purchase of Indian goods being silver; and such has been the state of the trade from Europe to India since the time of the Romans. This state results from the nature of the Indian people, their climate, and their usages. The articles of first necessity their own country furnishes, more abundantly and more cheaply than it is possible for Europe to supply them. The labour of the great body of the common people only enables them to subsist on rice, and to wear a slight covering of cotton cloth; they, therefore, can purchase none of the superfluities we offer them. The comparatively few in better circumstances, restricted, like the rest, by numerous religious and civil customs, of which all are remarkably tenacious, find few of our commodities to their taste, and their climate, so dissimilar to ours, renders many of them unsuitable to their use; so that a commerce between them and us cannot proceed far upon the principle of supplying mutual wants. Hence, except woollens, in a very limited degree, for mantles in the cold season, and metals, on a scale also very limited, to be worked up

by their own artizans for the few utensils they need, hardly any of our staple commodities find a vent among the Indians; the other exports which Europe sends to India being chiefly consumed by the European population there, and some of the descendants of the early Portuguese settlers, all of whom, taken collectively, form but a small body, in view to any question of national commerce.

What is here said does not relate only to those parts of India where the Company have settlements or factories, but to all the shores that embrace the Indian Seas, from the Gulfs of Persia and Arabia to the Eastern Archipelago. Many advocates for a free trade may suppose, that in so vast a range, numerous positions, favourable for the vent of European commodities, are still unexplored; but they are not aware, that in the British settlements, which themselves extend on the west to Cambay, and on the east to China, there are a number of merchants, native and European, who carry on what is called the coasting trade of India, with great spirit, sending their ships to every mart, insular or continental, where any profitable commodities can be either sold or bought. At all those marts, European commodities have been tried by the enterprise of individuals. The little demand that has been found for them has been supplied; and residents, settled in India, can carry into such parts the trade in European commodities, which it is now open to them to receive from this country, with more facility and advantage than merchants settled in England.

To these facts and observations, arising from the nature and circumstances of the people and countries of India, one remarkable argument may be added, furnished by our own experience at home. In the Charter of 1793, provision was made for the export of British manufactures to India, by any individuals who might choose to embark in that trade. The Company were required to find them tonnage to a certain extent, which has always been allotted at a rate of freight cheaper outward, as well as for the returns, than the Company themselves pay, or as the Court think, than private ships could furnish it. But, in all the time that has elapsed since, very few applications, and these to a small extent, have been made, for leave to export the woollens, metals, and other staples of this country, on private account, the chief applications having been

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for the freight of wine, for the consumption of Europeans: and this is not properly a British production, nor is it so much an increase in the trade, as a transfer of it to the private merchants from the commanders and officers of the Company's ships, part of whose advantage used to arise from being the carriers of this commodity.

All these circumstances, to which other corroborations might be added, the Court trust will fully evince, that the entire opening of the Indian trade to the merchants of this country, would not, in reality, extend in any considerable degree, if at all, the consumption of British manufactures.

Let it be enquired, in the next place, whether the adoption of so great a change in our Indian system, would be followed by the discovery of such new and valuable productions of the East, as would serve materially to augment the trade of this country with the Continents of Europe and America; for, with regard to the supply of our home consumption of Indian commodities, it cannot be asserted, that the importations already made by the Company and individuals do not abundantly suffice for it, or may not, at any time, be extended to the exigencies of the market; in which, it may be noted, that a preference is given to the cotton and silk manufactures of our own country, and to some of the tropical productions brought from our West-Indian Colonies. Nor can it be asserted, that new adventurers in the Eastern trade, fitting out from Great Britain, could, with any profit to themselves, furnish the home consumption on cheaper terms than it is now supplied; for both the Company, and British individuals resident in India, must have an advantage over such adventurers in the provision of goods there (British residents in the freight also), and yet, of late, the great Indian staple of cotton piece goods has been a losing article in this country.

Now, as to the productions of India valuable for foreign commerce, the trade of Europeans, of different nations, to all parts of it, in the course of the last three centuries, may well be presumed to have left little for discovery in that way. The Portuguese, who, in their early time, spread themselves along all the shores of the East, explored every considerable part of it, and they were followed by the Dutch, English, and French Companies, with their numerous establishments, some of

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which extended inland to the Upper India. But the modern European merchants, resident in the East, who have long been the chief navigators and adventurers in what is called the coasting trade, have become well acquainted with the commercial capacity of every region washed by the Indian Seas; so that many countries supposed here to be little known, because little visited by the ships of Europe, are familiar to them, and whatever articles those countries furnish, valuable for the commerce of the West, are already conveyed, through the medium of private or foreign trade, to Europe.

The chief commodities suited to the European market, which India has hitherto been found to produce, are spices, pepper, drugs, sugar, coffee, raw-silk, saltpetre, indigo, raw-cotton, and above all, cotton manufactures of singular beauty and in endless variety. These last have, as already intimated, formed, from time immemorial, the grand staple of India; but from the rise and excellence of similar manufactures in Europe, particularly in our own country, and from the general impoverishment which wars and revolutions have brought upon the Continent of Europe, with the obstructions opposed, in much the greater part of it, to our commerce, the consumption of the fine fabrics of India has considerably decreased, and it is not likely that it can be restored to its former standard. Spices, sugar, and coffee, have been furnished chiefly from the Moluccas and Java, Dutch islands not in our possession, nor in a commercial view, worth the expence of conquering and keeping them. The cinnamon of Ceylon, now ours, may be brought, in sufficient quantity for the supply of all Europe, in one or two of the Company's ships. Pepper is a very losing article. Sugar has been, of late, imported from our territories; but the necessary expence of conveyance from so great a distance, prevents it from being profitable, and it can be much encouraged only at the expence of our West India colonies. Raw-silk and indigo, now produced in great perfection in Bengal and its dependencies, have been brought to that state, by the expence incurred, and the support afforded by the Company. Both are articles occupying little space, in proportion to their value. The factories where the former is collected and prepared are in the hands of the Company, who have, in the course of many years, established them with great labour

and expence. They can furnish not only all the raw-silk this country requires, but much for the consumption of the Continent, if it was possible to bring it there into competition with the raw-silk of Italy, and the tonnage already employed by the Company is quite sufficient for its importation from India. The indigo produced in Bengal and the adjacent provinces is equal, probably, to three-fourths of the demand of all Europe, and may easily be raised to the whole demand; but the manufacture of this article is entirely, and the trade in it chiefly, in the hands of individuals, who need and require no shipping from this country, except what the Company provide, to convey to Europe, all that Europe can consume of it. Saltpetre, furnished only from Bengal, is, for political reasons, prohibited to foreigners, and exported exclusively in the ships of the Company: for the same reason, it could never be prudent to allow the private ships of this country to carry it away at pleasure. Where then is the scope for the admission of new shipping and new adventurers, without limitation, into the trade of India with Great Britain? In general, it may be observed, that the commodities which have hitherto come from that country, in a state prepared for use, such as the great staple of cotton piece goods, being articles of luxury, can have only a limited consumption, and that the demand for them could not be increased, at all in proportion to the number of new competitors that should enter into the trade. The same may be said of all kinds of spices and drugs, which, from their nature, have a limited consumption; and, with regard to the important articles of raw-silk and indigo, which require a further preparation before they are used, there is already abundant provision made for their importation, to the utmost extent of demand.

There remains then to be considered, of all the commodities above enumerated, only the raw material of cotton; and to this may be added another, of high importance, which India is in time likely to produce abundantly, namely, hemp. Now, with respect to the former of these, the Company have formerly imported it, and permitted private merchants to do so; but it was found, that the cotton of India could not enter into competition with that produced nearer home, in the Brazils, the West Indies, and North America. Of late, since the interruption of our trade with

the last mentioned country, the Company have themselves commissioned cotton from India, and have been willing to encourage individuals to export it from thence; but that it can support a competition with the cotton of Georgia, when the American embargo is taken off, or become an article of extensive demand in this country, supplied with it from so many nearer quarters, is not very likely. The culture of hemp in India is yet in its infancy. A change in the circumstances of Europe may check it; but if it is not checked, years must elapse, before the quantity produced can form a considerable article of exportation. And with regard to both these commodities of cotton and hemp, it is to be observed, first, that cargoes for Europe cannot be composed of them only, some other, more ponderous for its bulk, being necessary for dead weight, and sugar, almost the only article of this nature that India can supply, must generally be rather a losing one: secondly, it is to be observed, that the private ships ready to be employed in India, must be abundantly sufficient for the supply of all the tonnage that can be required for these articles, which could hardly absorb any very large amount of capital. Thus, then, it is also apparent, that the country and productions of India afford no new field of importance for the commercial enterprize of the merchants of Great Britain.

But were it indeed otherwise, where, in the present circumstances of the European Continent, could new commodities, imported into this country from India, find a vent, when many of those already made, and of articles which the Continent used to take off, remain in our warehouses? And hence may appear the inapplicability of that argument, which has sometimes been urged in favour of enlarging, or rather opening the Indian trade to individuals, "that they should be allowed to bring home the surplus produce of India which the Company did not require." There can be no room for additional importations, when the ordinary scale proves too large. But in the use of this plausible plea, respecting surplus produce, there was always a great fallacy. It seemed to imply, that there was a stock of commodities in India which continually remained undisposed of, whereas nothing is more evident, than that the productions of any country will be regulated by the demand, and that no agriculturists or manufacturers will go on from year to year to produce

that for which they have no sale. The term, as connected with the Company, might also convey the idea, that they were the only purchasers in the country; whereas, at that very time, British residents and foreign nations had the privilege of exporting the goods to the western world, and there was a great coasting and internal trade from one part of India to another. But the argument for permitting individuals to export the surplus produce, included fully, though not professedly, the principle of transplanting British capital to India, in order to raise produce there; a principle which, it may be thought, this country has already carried sufficiently far in its other dependencies, and which could not be applied to India without political consequences.

But it has been alleged, that the refusal of the Company to make a concession, which appeared to them to be claimed on unsound premises, and to be pregnant with danger, threw that trade, which might have been brought into the Thames, into the hands of foreigners, particularly Americans, whose great progress in the Indian trade, of late years, has been charged to an erroneous policy on the part of the Company. Nothing can be more mistaken than the whole of this statement. Several European nations having from the native sovereigns of India the right of possessing settlements and carrying on trade there, a right which we had confirmed, we could not interrupt the exercise of it whilst they remained at peace with us; nor, therefore, divert from them whatever portion of the trade their means enabled them to embrace. And, with respect to the Americans, they owe their advancement and success in the Indian trade to the treaty made with them by our Government in 1794, to the belligerent state of Europe since that time, and, above all, to the neutral character they possessed, which enabled them to navigate more cheaply, more expeditiously, as well as more safely than our merchants or the Company could, and to supply many parts of the European Continent and of South America, to which our ships had no access. These, with the increase of the consumption of eastern commodities among themselves, are the true causes of the growth of the American trade with India; and even the abolition of the Company's privileges would not have transferred the share they acquired of it to our merchants, because it could not have lessened the ad-

vantages under which the Americans then carried it on, nor have gained us either the supply of their internal demand, or admission to many ports which were open to them. What the Company could do, in the way of regulation, to reduce the inequality between the American traders and our own merchants, you know, Sir, was effected, as soon after the expiration of the treaty of 1794 as his Majesty's Government thought expedient.

Among the speculations of the present day, the idea may perhaps be suggested, of carrying the productions of India directly to the ports of Portuguese and Spanish America; and eagerness for relief from the pressure which our commerce now feels, may be ready to make so great a sacrifice of the navigation laws. But such a measure would essentially exclude the mother country from being the medium and emporium of our Indian trade; and whilst it served to enrich India, rather than Britain, would facilitate the progress of the former to independence. If, however, so dangerous an innovation were not adopted into our commercial code, it is altogether probable that English ships, admitted without limitation into the Indian seas, would take the liberty of sailing to those markets which would be thought the most promising; so that, in effect, the opening of the Indian trade would not be solely or chiefly for this country alone, but for other, perhaps for all parts of the world.

Having thus shewn, that the opening of the Indian trade to the subjects of Great Britain could not materially increase either the export of the manufactures of this country, or its commerce in the productions of India, it will next be proper to consider, what the effects of the proposed change would be upon the East-India Company and upon British India.

And, in the first place, it would, in substance and in form, entirely abolish the qualified monopoly which the Company still enjoys of the Indian trade. The admission of all private merchants at their pleasure, and of their ships, into that trade, would make it as perfectly free as the trade to our American or West-Indian Colonies. There would, as to India, be an end of all exclusive privilege of trade. This would not be any modification of the Act of 1793, but an essential departure from it. That Act permitted only the export of British manufactures, and intended only to provide for the returns to them,

and for the remittance, in goods, of British fortunes from India; both on the ships of the Company. The proposed measure must, in the nature of it, make the trade from India not merely a vehicle for the remittance of fortunes acquired there, of the produce of British manufactures, but a general trade; and what is a still more radical change, instead of a limited amount of tonnage not incompatible with the Company's system, it admits all ships, without any limitation, or option on the part of the Company; it throws all India open to those ships, and thus sets aside the Company from being the sole channel and medium of the trade, through their own shipping, or shipping engaged by them, which completely divests them of the last remnant of exclusive privilege in that trade.

It would be no argument to say, that in a trade, by which they now gain little, they might admit, without much sacrifice, the rest of the commercial world to share. The loss of the Indian monopoly, such as it was left by the Act of 1793, would lead, by no slow process, to the entire subversion of the Company, both in their commercial and political capacity, and of that system which the Legislature has appointed for the government of British India, of which system the Company forms an integral and essential part.

If the Indian trade were thrown open, ships would, no doubt at first, swarm into it, and there would be a ruinous competition in the markets, both abroad and at home. Goods would be enhanced in cost there, as well as deteriorated in quality: the selling prices at home, already too low, reduced still lower, and the market overstocked. This was the effect, in some measure, produced by throwing open the trade in the time of Oliver Cromwell, who, after the experience of a few years, revived the Company. The same effect followed from the collision of the Old and New Companies, in the beginning of the last century, which forced them to unite, and their union received the sanction of Government. It is not sufficient to say, on this head, that increased demand abroad will produce increased supply, and the diminished price of goods at home increase the sales, so that things will, at length, in both countries, find their due level. From the nature of the Indians and their divisions into casts, it is not so easy among them, as in Europe, to meet an increased demand by increased pro-

duction; and it is still less easy, when they can subsist by furnishing things of low or ordinary quality, to make them aim at excellence, which the supposition of increased sales at home would require. But of such an increase, in the present and prospective state of the trade in Indian imports, enough has been above said to shew the improbability; and before that supposition could, in any case, be realized, the ruin of the parties immediately embarked in the trade (a trade so distant, requiring large capitals, and making slow returns) might be completed, with the ruin also of the Company, whose establishments would have been deranged by this great change. If the change itself did not occasion the fall of the Company, the disappointments which the private adventurers could not fail to experience would, by them, be charged to the influence of the remaining privileges of the Company, and they would not rest until the whole were extinguished. But it may be observed here, and it is an observation which might be urged more formally and fully, that although the Company have the justest claim to those territories, which the powers vested in them by the laws of this land, the ability of their servants, and the hazards they have encountered, have enabled them to acquire, and that this right was never questioned, until the acquisitions, and consequently the merit of making them, became great; yet that, in a more peculiar sense, all the principal marts and factories of British India are their property, acquired in their purely commercial period, either with their money or by grants from the native princes of the country, and that the power of admitting settlers and traders to them strictly belongs to the Company.

One part of the present system, and a beneficial one for all parties, is to have only one place of sale for Indian goods, that is London; to make all sales by public auction at stated periods, and these sales to be regulated and conducted by the Company. With the proposed enlargements, it would seem hardly possible to continue that practice. Different towns would have their own sales at their own times. Individuals might frequently choose to dispose of their goods by private bargain. The general resort of buyers which the sales were wont to bring to London, a resort often productive of other commercial speculations, would thus be at an end; and the benefit derived

from public auction, when that was the sole mode, would be lost, in the midst of many private sales and competitions; but to dispose of the goods of the Company by private negotiation, might open a door to many abuses, which would render that mode totally unsuitable for their business. The Company, with such a competition, could not go on to purchase the goods of India. With the cessation of their Indian trade, their Indian subordinate factories, which have been reared in the course of more than a century, and which are the seats of the best manufactures produced in the country, must be abandoned, and all the commercial branch of their civil servants be thrown out of employ. Their purchases of goods at home, for the Indian market, must also cease with the circulation of money which has enabled them to support their credit in England, and to provide for the payment of bills, which it has been long and necessarily the practice to draw on them from India; a practice which, under such a change of circumstances, could not be continued: and, in general, the great aid which the political affairs of British India have, at all times, derived from the commercial credit and resources of the Company, with the reciprocally beneficial co-operation of the different parts of the Company's system, must thus be destroyed. In like manner, the Company must cease to employ the numerous classes of excellent ships they have engaged for the Indian trade, ships constructed for warlike defence as well as for commerce, and rendered expensive only, by being necessarily destined and fitted for the performance of political services. Those ships the Company have contracted to employ for the term of their duration; there is a large capital embarked in them, and they can be employed in no other way than in that for which they were built. When they can no longer be kept up, the means of conveyance they have hitherto so well afforded for troops, and the large supplies of naval and military stores annually sent to India, must be lost.

But there is no reason to believe the evils would end here. The monopoly of the China trade, which it is proposed to continue, would not be safe. British ships, when permitted to range at pleasure through the Indian seas, however interdicted from that trade, would attempt to participate in it either by resorting to it as the country ships do, under colour of carrying

on the coasting trade, or by other means obtaining teas, and the other productions of China, at the most convenient Indian ports. Love of gain, disappointments in other ways, the hope of impunity, would stimulate their conductors to break through restrictions imposed in this country. British subjects, who now navigate the Indian Seas, sail from some one of our established settlements there, and are amenable to the laws of it: it would not be so with men having no domicile in India. In ranging the numerous islands and coasts of the Eastern Seas, where they would be unknown, and whence they could not be followed to England by complaints, the probability of impunity might tempt them to commit upon the weak natives, accustomed to repose confidence in Englishmen, acts of injustice and licentiousness, which would wound the national character, raise complaints throughout India, and set the people against us. In this manner the Portuguese formerly rendered themselves odious in the East, and contributed to the downfall of their own power. In China, where the effects of such a spirit would be most to be feared, we could exercise no authority, sufficient to controul men not within the reach of the Indian Governments, or to defeat their schemes and associations for eluding the laws. Practice would embolden them, and time increase their numbers. It is hardly conceivable they would not venture upon irregularities which would offend the Chinese Government, who, whilst the delinquents escaped to England with impunity, would doubtless take satisfaction of the national factory; and the pride and jealousy of that government, alarmed by repeated instances of this nature, from the desultory visits of a new order of Englishmen, insubordinate to the representatives of the nation, might determine to dismiss the whole together. If this extreme case be not supposed, which however is too probable and too momentous in its consequences to be hazarded, can it be doubted, that whilst the duties on tea continue at even the fourth part of what they are at present, private English ships adventuring to the eastern seas will not, by means of country vessels and intermediate ports, if by no other means, procure teas, and revive the practice of smuggling them into this kingdom? The consequence seems inevitable, and the ships of our own country, especially if allowed to choose their port of discharge, as the proposed change seems

to require, would have facilities, which those of foreign Europe or America could not command. In these ways, the China monopoly of the Company, reduced in its profits, would be rendered likewise insecure, and in the end untenable; and the noble fleet of ships, employed in that trade by the Company, must be also laid aside. How the immense revenue, now derived by Government from the very high duties on tea, could, under such circumstances, be realized, or a substitute found for them, may be as important, and to all appearance a most difficult subject of enquiry.

But a more serious consequence than all these would still remain. A free trade to India would, unavoidably, draw after it the residence of numerous and continually increasing Europeans there, whatever prohibitions might, at first, be opposed to their settling in the country. When all restraint to the importation of ships and goods is taken off, men must be allowed to follow their property, and to remain at the place where they land it till they have disposed of it: they must be allowed to navigate the Indian Seas, and to return to the same place when their business calls them; they will thus, insensibly, and with hardly reasonable grounds for opposition, domiciliate themselves; nor would an unsuccessful trade prevent them, but many would seek to indemnify themselves on shore for their losses by the voyage. The instances of such settlements will be numerous, and it will be impossible for any police to follow up the cases of individuals, and continually to exercise a rigorous system of exclusion. This has not hitherto been done, though attended with comparatively little difficulty; and the attempt would soon, under the new order of things, be abandoned as hopeless. Colonization must, in such case, follow. Large communities of Europeans will struggle for popular rights; new feelings with respect to the mother country, new interests and attachments will then spring up; and in a region so remote, so rich and populous, and so accustomed to yield to the ascendancy of the European character, the tendency and process of these things cannot be difficult to conceive.

With the prospect of all these consequences, commercial and political, before the Court, it is impossible that they, as faithful guardians of the interests committed to their care, or as men truly solicitous for the welfare of their country, which

they profess themselves to be, can advise their constituents to seek a renewal of their Charter, on conditions which would despoil it of all its solid advantages, deprive the Company of their most valuable privileges, and incapacitate them from performing, for themselves and the nation, the part hitherto assigned to them in the Indian system. Such a further enlargement of the Indian trade, in favour of individuals, as may be compatible with the preservation of these essential objects, the Court will, in present circumstances, certainly be disposed to recommend. They will be ready to enter into a serious enquiry concerning the concessions which may be made, without trenching upon the principles established by the Act of 1793; and they trust that the justice and wisdom of His Majesty's Ministers will not require the Company to make essential sacrifices, for the sake of giving to the Public what would, after all, be more an ideal than a real benefit, and be, in other respects, productive of incalculable disadvantages.

The other important proposition which is next to be considered, is the transfer of the Indian Army to the King. The reasons assigned for this proposition are, that an end may be put to the jealousies and divisions which have too much prevailed, between the officers of His Majesty's army and those employed by the Company, and that the responsibility in the country, of providing for the military defence of India, may be ascertained and strengthened.

The Indian army is the main instrument by which the Company have acquired and retained the territorial possessions they have added to the British Empire. The people of those countries submitted more easily to an authority exercised by means of a body formed from among themselves. We fought battles and governed provinces as the native powers did; and our new subjects, undisturbed with the sight of a foreign conquering army, supposed the government to continue substantially the same, and the principal change to be in the individuals who exercised it. The constitution and character which this Indian army has acquired, have been the subject of just admiration. These have been owing, essentially, to the happy mixture of bravery and generosity, of firmness and kindness, exercised towards the Sepoys by their European officers. The superior lights and energy of the European character have directed the powers and conciliated

the prejudices of the native troops; but it was because the officers knew the people and their prejudices well. These officers had been trained up among them from an early age: the nature, the usages, and the language of the natives were become familiar to them; and the natives, remarkably the creatures of habit, in return, from being accustomed became attached to them. Without such knowledge, however, on the part of the officers, they might every day have revolted the minds of so peculiar a race, and have alienated them from our services and government.

An Indian military education, from an early age, is essential to the formation of a good Sepoy officer, and gradual rise in the service by seniority, is no less indispensable. In this way, the Indian army has been constituted and rendered eminently efficient; and all measures, tending to change or weaken the constituent parts of this fabric, are to be deprecated. When, excepting a few regiments of European artillery and infantry, the whole military force of British India was composed of Sepoy corps, the officers of that army, of course, possessed entire the emoluments and advantages which the service afforded. The introduction of European troops from His Majesty's army into India altered this state of things. Young officers, of no Indian experience, who had obtained their commissions by purchase, took rank of men of long and tried service: the King's officers were thought to come in, also, for too large a share of employments and advantages. To redress the complaints which the Company's officers made of supercessions and partialities, and to give them a better share of the benefits of the service, was the leading object of Lord Cornwallis's Military Plan of 1794, and with him a principal motive for proposing to transfer the Indian army to the King, no other practicable means having then occurred to him. But the object was, in substance, attained by the Military Regulations of 1796, passed in concert with His Majesty's Government, without that transfer, of which his Lordship did not revive the idea on his last return to India, those regulations having given increased rank and retiring pay to the officers of the Company's army. The causes of complaint, however, did not entirely cease. To avoid the collision of authorities, the Company had adopted the usage of appointing the Commander in Chief of the King's troops, also their Commander in

Chief; and one consequence of this has been, that the Company's officers, resident from early youth in India, possessing little influence in England, unknown to officers of high rank in His Majesty's service, have thought themselves treated with less favour and distinction, than younger officers of that service recently arrived, but better patronized. You know, Sir, that there have been instances of this sort, which the Court, with the sanction of your Board, have interposed to repress: but as long as the British force in India is made up of two armies, so differently constituted, with so large a portion of King's officers, the whole commanded by generals of His Majesty's service, there will, probably, be real or apprehended ground for the like complaints. They do not arise because one army has the honour to belong to His Majesty, and the other serves the Company, but because the constitution of the two armies are radically different, and must continue so, whether the armies are under one head or two. The Indian army cannot be maintained without officers attached to it from an early age, and rising by seniority. Frequent changes of King's regiments serving in India, and the consequent frequent arrival of young men, promoted in them by purchase, cannot be avoided: the former class will be comparatively unknown to the King's commanders, the latter will have among them the connections of those commanders, or of men of influence in England. It is not difficult to see, therefore, to which side the exercise of military patronage will lean; and to prevent causes of complaint, and to keep the balance even, must be an important object in the government of India. It does not seem the way to effect this, to put the Indian army wholly in the power of the Commander in Chief. It is of the partiality of that station of which the Company's officers have sometimes complained; and the Court see no reason whatever to suppose, that their jealousy and dissatisfaction would be removed, by putting them entirely under its controul: and, indeed, by placing two armies, of such different races and so differently constituted, under the same master, it would seem difficult to avoid attaching the idea of permanent inferiority to that which was Indian. Nor is it a thing to be taken for granted, that the Sepoys, so much, as already observed, under the influence of habit, would choose to be transferred from that service to which they have been al-

ways accustomed, to one of which they have little experience, and that experience not always of a conciliatory kind. To place the officers of the Indian army wholly under that authority of which they have hitherto complained, does not certainly appear to be the way to render them easy. It might, on the contrary, lead to serious discontent; and though the Court would be far from countenancing that spirit among their officers, or yielding to any irregular exertion of it, yet it must be said, on the other hand, that those officers are a body of men who have deserved too well of the Company and their country, to have real causes of discontent; and that it would be impolitic to adopt any system, likely to generate such causes, either among them or the men they command.

With regard to the other reason assigned for the proposed change, the Court beg leave to observe, in the first place, that they do not perceive the necessary connection between the inconvenience which is alleged, and the remedy suggested for it: since if it were true that the question of responsibility in England, respecting the appointment of Commander in Chief, lay under an obscurity and uncertainty detrimental to the public service, it does not appear to follow that the Indian army ought to be transferred to the King, to remedy this defect. But in the humble apprehension of the Court, no obscurity hangs over that question. The appointment of Commanders in Chief of the King's forces there rests with His Majesty, and the officer chosen by him will, by virtue of his commission, generally command the Company's army on service. The appointment of Commanders in Chief for the Company's army is placed, by law, in the first instance, in the Court of Directors, but with a power vested in His Majesty to annul such appointments. This necessarily points to an agreement between His Majesty's Government and the Court of Directors, in respect to those appointments, and the Court are not aware, that they have, on any occasion, used the share of power left them by this arrangement, for the exercise of which they feel that they are responsible to the prejudice of the public service. They must, at the same time, humbly express their opinion, that the law, as it now stands, is wisely conceived, since it does not halve the responsibility, but double it, making both His Majesty's Government and the Court of Directors fully answer-

able for the appointment of the Company's Commanders in Chief: and if it should still be said, that, in point of fact, the selection of a Commander in Chief for His Majesty's forces may be rendered difficult by reluctance, on the part of the Court, to accept the same officer for the command of the Company's army, it may be justly replied, that they make a sacrifice to the public interest in agreeing that the Commander in Chief of His Majesty's shall also be the Company's; and when he is not only to command their army, but expects to be made a Member of their civil and political Government, it cannot be deemed unreasonable, that they should possess the right of satisfying themselves as to his competency for filling those high offices: neither is it, as they think, to be shewn from theoretical reasoning, or by an appeal to facts, that the service will suffer, or has suffered, by their assertion of this right.

But the strongest objections of the Court to the proposed transfer arise from political considerations. They conceive the continuance of the Indian army in the hands of the Company to be essential to the administration of the civil, financial, and political affairs of British India, according to the present system. The Company's Government has hitherto been respected, both by its own subjects and foreign powers, because it possessed a great military force. Organizing this force, enlarging or reducing it at pleasure, appointing its officers, rewarding merit, punishing the unworthy, providing for the comfortable retirement of the veteran soldier and officer, and, in short, exercising all the functions of a governing power over a very numerous body of men of high military spirit, it has possessed all the respectability and the benefit of their attachment and fidelity. Looking upon the Members of the civil Government and the body of civil servants as belonging to the same master with themselves, and as the first order in the state, they have paid a willing obedience to their authority, and have thereby upheld their internal administration and their consequence abroad. The introduction of certain King's regiments has been understood, as it was intended, to be merely in support of the public interest under the existing system: but if the Company were to be divested of the whole of their military force and power; if they were to be no longer masters of a single regiment, no longer capable of en-

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tertaining any soldiers nor of giving one subaltern's commission; if the immense body of men, who have so long looked up to them, were to be transferred from them, the people must consider their power as fallen and drawing rapidly to a close. Continuing still to their Governments a general controul over the employment of the army, and to their civil servants the internal administration of their affairs, would give the people no assurance to the contrary. Those servants, in the discharge of their different functions of judges, magistrates, collectors, could not expect the same respect and support, either from public opinion or the attachment of the native troops, as when all looked to the same head for protection, patronage, and reward. Indeed, to make so wide a separation of the military from the civil power; to take away the organization, the interior regulation, and with these, the patronage of the army, from the local Government; to place all those powers in the hands of the Commander in Chief, subject only, in the exercise of them, to an authority at the distance of half the globe, would throw the means and the temptation of a dangerous ascendancy into the scale of the military department, which constituted by His Majesty, might easily be led to slight the civil servants of a meaner master and their chance of distant redress. Among the natives of India it has been usual to consider the military power, and those possessing it, as pre-eminent; and they see, in some examples of the present day, that power, under the idea of assisting the civil and political administration, actually controuling it. The Company's government, in short, lowered and overshadowed in this way, would not, in the opinion of the Court, continue to possess the authority necessary for the proper administration of the affairs of that great empire; and it might then be conceived, that a further change only could supply what was defective.

But this is not the only way in which the measure in question appears to the Court to be pregnant with danger. It proposes to place in the entire disposal of the Crown, a regular army amounting to one hundred and forty thousand men, commanded by above three thousand European officers, having a great variety of places of honour and emolument; and all the vast patronage attaching to such an army (saving the nomination of cadets)

(K).

would, mediately or immediately, be under the influence or controul of some of the Members of his Majesty's Government. This would be a signal departure from the spirit and letter of the Acts of 1784 and 1793, a professed principle of which was, that the Indian patronage, civil and military, should be kept entirely out of the hands of the servants of the Crown. It is not for the Court to enlarge upon a proposition so momentous; but they beg leave, with the utmost deference, to state that they would deem it a dereliction of their duty, to which no consideration could induce them to submit, to recommend any measure of this description to the adoption of their constituents. Knowing however, Sir, your concern for the promotion of the public interest, a concern which we have frequently witnessed, the Court still flatter themselves, that the consideration of the renewal of the Company's Charter, a measure which they believe to be for the interest of the nation as well as of the Company, will go on without your insisting on this proposition, or any further on the other which has been above discussed, than may be really compatible with the preservation of the present Indian system. We have the honour to be, Sir, &c.

EDWARD PARRY,
CHARLES GRANT.

The Right Hon. Robert Dundas, &c. &c. &c.

At a SECRET COMMITTEE of Correspondence, the 28th February, 1809.

The Chairman and Deputy Chairman reported to the Committee, that in consequence of an invitation from the President of the Board of Commissioners, they had yesterday an interview with him, in which he discoursed with them on the present state of the negotiation for the renewal of the Company's Charter. He enquired, in the first place, whether the Company would have occasion to apply to the Public for pecuniary aid in the course of the present year. To this enquiry the Chairman and Deputy answered, that from an estimate lately made up of the Company's receipts and payments, till the month of January 1810, it appeared probable they might be able to do without any public assistance till that period; but that this could not be positively affirmed by the Chairs without further and more certain investigation. Mr. Dundas then said, that if the Company were not under a ne-

cessity of coming to Parliament this session on the score of their finances, he thought it would be expedient to delay the agitation of the subject of the Charter in Parliament till next session, because the Committee of the House of Commons for enquiring into the state of the Company's affairs, recently re-appointed, being about to examine into all the great branches of those affairs which would necessarily engage the public attention on the renewal of the Charter, it would be expected by the House, that the reports of that Committee should be submitted to them, before the question of the renewal was brought forward, and from the number and weight of the subjects to be investigated, it would be impracticable to report upon them, soon enough to afford sufficient time to the House to go through the consideration of them in the remainder of the session: it was, therefore, Mr. Dundas's opinion, that it would be advisable to postpone the agitation of the question until next session; but before he fixed his determination, he wished to receive the sentiments of the Chairs and the Committee of Correspondence on this important point, and those sentiments would probably influence him in shaping his answer to the last letter of the Court, dated 13th January, 1809, on the renewal of the Charter. The Chairman and Deputy Chairman beg leave to state, that they, in reply, expressed their opinion to be clearly in favour of proceeding with the business of the Charter this session, if it should be practicable for the Committee of the House to make the requisite reports in due time.

The Committee having deliberated on this communication, are of opinion, first, that it will be necessary to form an accurate estimate as possible of the home finances of the Company for the current year: secondly, that it is very desirable the renewal of the Company's Charter should be brought forward in Parliament this session, even if the Company should stand in need of no pecuniary aid; but, thirdly, that if the Select Committee cannot prepare their reports in due time, and His Majesty's Ministers deem it proper to wait till next session, the Court must, of course, acquiesce; yet in the wish and hope, that if any circumstances should occur in the course of the present session, favourable to the agitation of the measure, it may still be brought forward; and if not in this session, as early as possible in the next; to which end the Committee

will be very ready to proceed with the President of the Board of Commissioners in the discussions already commenced.

At a SECRET COMMITTEE OF CORRESPONDENCE, 5th December 1809.

Read and approved draft of a letter to the Right Hon. Robert Dundas, proposing that the discussions between him and the Court, on the subject of the Charter, be resumed, from the point at which they were left by the letter from the Chairman and Deputy, dated 13th January last.

LETTER from the Chairman and Deputy Chairman to the Right Honourable Robert Dundas, noticed in the preceding Minute.

(Private.) *East-India House, Dec. 5, 1809.*

Sir; From the conference the Chairs had the honour to hold with you on the 13th of February, on the subject of a renewal of the Company's Charter, we were given to understand, that although His Majesty's Ministers did not deem it expedient to bring that subject under the consideration of Parliament, in the session then preceding, it might, in their opinion, be proper to prepare for the agitation of it in the next following one.

We now, therefore, by the authority of the Committee of Correspondence, whom the Court of Directors have empowered to conduct the details of negotiation on the subject in question, beg leave to state to you, that, in their opinion, it is desirable the discussion concerning the renewal of the Charter should be brought on in the ensuing session, both on account of the general situation of the Company's affairs, and also on account of the particular pressure on their finances (arising chiefly from the transfer of certain sums of the Indian debt to England) which we have already had the honour to represent to you and to Lord Harrowby, and which renders necessary such an application for public aid, as may of itself be expected to lead to a general consideration of the Company's affairs.

We therefore take the liberty to propose, that the discussions between you and the Court, on the subject of the Charter, be resumed, from the point at which they were left by the letter the Chairs addressed to you, under date the 13th January last. We have the honour to be, Sir, &c.

CHARLES GRANT,
WILLIAM ASTELL.

The Right Hon. Robert Dundas,
&c. &c. &c.

At a SECRET COURT OF DIRECTORS, held on Friday, the 3rd Jan. 1812.

The Chairman laid before the Court, copy of a letter from Lord Melville to the Chairs, dated the 17th of last month, upon the subject of continuing to the East-India Company, for a further term, their privileges of exclusive trade and the government of the British territorial possessions in India, in which his Lordship adverts to his letter addressed to the Chairman and Deputy Chairman, on the 28th December 1808, and to their reply, dated the 13th January 1809; and adds, that if the Court of Directors are willing that the ships, as well as goods of private merchants, may be admitted into the trade with India, under such restrictions as may be deemed necessary, he shall be ready to discuss with the Chairs all the other details of the system; and his Lordship alluding to two points of considerable importance, adverted to in the above-mentioned letters, viz. the first relating to the transfer of the Company's army to the Crown, upon which subject circumstances may possibly suggest the expediency of adopting other measures, for promoting the discipline and efficiency of the army in India; and the second point, being the Indian debt, upon which subject his Lordship observes, that the period he should hope is arrived, for providing, out of the Company's own resources, without any pecuniary aid from the Public, the means of enabling them to satisfy all the claims of their Indian creditors.

Ordered, That it be referred to the Committee of Correspondence, to consider what reply it may be right and proper to make to the letter from Lord Melville, now read; and to report their opinion thereon to the Court.

LETTER from the Right Honourable Lord Viscount Melville to the Chairman and Deputy Chairman, dated the 17th December 1811; noticed in the preceding Minute.

India Board, December 17, 1811.
Gentlemen; Understanding from you, that it is the wish and opinion of the Court of Directors, that a proposition should be submitted to Parliament in the course of the next session, for continuing to the East-India Company, for a further term, their privileges of exclusive trade, and the government of the British territorial possessions in India; it will be neces-

sary, before I can proceed with you to the discussion of that question in all its details, that certain preliminary matter should be again brought under your consideration.

In a letter which I addressed to the Chairman and Deputy Chairman, on the 28th December 1808, the outlines of such a system, in regard to the trade between this country and the East Indies, were stated, as His Majesty's Government at that time were willing to propose to Parliament. In a reply to that letter, dated the 13th January 1809, detailed reasons were urged, for the Court of Directors declining to "advise their constituents to seek a renewal of their Charter, on conditions which" (as asserted by the Chairman and Deputy Chairman) "would despoil it of all its solid advantages, deprive the Company of their most valuable privileges, and incapacitate them for performing for themselves and the nation, the part hitherto assigned to them in the Indian system."

I do not feel it requisite, in this stage of the business, to enter upon a minute examination of the arguments from which that conclusion was drawn. Many of them have reference to possible dangers, which might arise from a system of trade wholly unrestricted; against which dangers, however, it was expressly admitted in my letter, that it would be essentially necessary to guard. A considerable portion of their reasoning, also, would lead to the inference, as a general proposition, applicable to all cases of foreign and distant trade, that a monopoly was more beneficial to both countries than an unrestrained commerce; and that the facilities intended to be afforded to private trade with India, by the Act of 1793, were inexpedient and impolitic. There are several statements in the letter, in which I fully concur; but it is unnecessary to advert to them at present, because, if the Court of Directors adhere to the above-mentioned determination, I cannot hold out to you the least expectation, that His Majesty's Government will be disposed to depart from the proposal contained in my letter, or that they will concur in any application to Parliament, for the continuance of a system of trade, conducted under all the restraints now imposed upon it, and for the permanency of which the Court of Directors have so strenuously contended. If they are willing, on the other hand, that the ships, as well as goods of private merchants, may be admitted into the trade with India, under such restrictions as may

be deemed necessary, I shall be ready to discuss with you all the other details of the system.

There are two points, however, of considerable importance, which are adverted to in the above-mentioned letters, and on which it may be advisable that I should state to you shortly what occurs to me.

The first relates to the transfer of the Company's army to the Crown; a measure which has been frequently suggested by persons intimately acquainted with the military concerns of the Company, and whose opinions are entitled to great consideration. It is impossible, however, not to admit, that several weighty objections to such a change are stated in the letter of the 13th of January 1809. Events which have since occurred, must also have an influence in deciding this question, and may possibly suggest the expediency of adopting other measures for promoting the discipline and efficiency of the army in India. Further discussion on this subject may be deferred till a future opportunity, and any arrangements which may be deemed proper can be carried into effect, without having recourse to special legislative enactments.

The other point to which I allude, is the proposition for enabling the Company to meet the heavy demands which were then expected, and which, to a certain extent, have since come upon them, by the transfer of their Indian debt to this country. All uncertainty, as to the possible amount of those demands, is now removed; and the period, I should hope, is arrived, to which, during some years, we have looked forward with anxiety, for providing out of the Company's own resources, without any pecuniary aid from the Public, the means of enabling them to satisfy all the claims of their Indian creditors. The sanction of Parliament will probably be necessary for carrying into effect any arrangement for that purpose; and if the Court of Directors are willing that these discussions, on the renewal of the Charter, shall proceed, in so far as relates to the question of the trade, on the principle to which I have adverted, I shall be ready to receive from you any suggestions you may have to offer on the subject of the debt, and on the mode by which you propose that funds for its liquidation shall be provided. I have the honour to be, Gentlemen, &c.

MELVILLE.

The Chairman and Deputy
Chairman of the East-India
Company.

At a SECRET COURT OF DIRECTORS,
held on Friday, Feb. 28th, 1812.

The Chairman for the Committee of Correspondence laid before the Court the draft of a reply to Lord Melville's letter of the 17th of December last, which was read: Ordered, That the same be taken into consideration to-morrow.

At a SECRET COURT OF DIRECTORS,
held on Saturday, Feb. 29, 1812.

The Court proceeded to take the proposed draft of a reply to Lord Melville's letter into consideration.

At a SECRET COURT OF DIRECTORS,
held on Monday, March 2, 1812.

The draft of the proposed reply to Lord Melville's letter, of the 17th December last, was unanimously approved.

Resolved, That a deputation of this Court be appointed to wait on his Majesty's Ministers, in consequence thereof; and that the said deputation do consist of the Chairman, Deputy Chairman, Charles Mills, Esq. the Hon. William Elphinstone, and Edward Parry, Esq.

LETTER from the Chairman and Deputy Chairman to the Right Hon. Lord Viscount Melville, with its Enclosures; noticed in the preceding Minute.

East-India House, March 4, 1812.

My Lord; We duly received and laid before the Court of Directors your Lordship's letter of the 17th of December last. We trust that the great importance of the matter contained in it will explain, in a satisfactory manner, to your Lordship and to His Majesty's Government, why an answer has not been prepared at an earlier period.

By that letter we think it is to be understood, that His Majesty's Ministers have made up their minds, not to hold out to the East-India Company an expectation of their being disposed to concur in an offer to Parliament of any proposition for the continuance of the present system of trade with India, at the close of the term limited by the Act of 1793, which is now nearly expiring, without a previous consent, on the part of the East-India Company, as the basis of such concurrence, that the trade with India shall be extended to the ships, as well as goods of private merchants, under such restrictions as may be deemed necessary; but that His Majesty's Ministers are of opinion, with res-

pect to the subject of the Indian army, that the idea which was held out in your Lordship's letter of the 26th December 1808, relative to the transfer of the Company's army to the Crown, will not be contended for; and that, upon these grounds of understanding, your Lordship will be prepared to receive from the Court of Directors any suggestions which they may have to offer on the subject of the Company's debt, and upon the mode by which the Court propose that funds for its liquidation should be provided.

From the terms in which the first proposition, respecting the trade with India, has been brought to the notice of the Court, they conceive that it is intended, on the part of His Majesty's Government, to preclude the Court from any further agitation of a question already so fully discussed. The Court, indeed, cannot avoid considering this as the obvious interpretation of your Lordship's letter, respecting a point upon which, perhaps, it might be out of their power to offer any arguments, not contained in the letter of the Chairs to your Lordship, of the 13th of January 1809.

Whatever opinion, therefore, the past experience and daily observation of the Court may have justly induced them to form upon this subject, or however incontrovertible they may believe many of the arguments to be, that are made use of in the letter of the Chairs to your Lordship, to which they have referred, they think it their duty to state, that if this alteration be made an indispensable condition, on the part of His Majesty's Ministers, of their proposing to Parliament the renewal of the Company's privileges, the Court will, though reluctantly, offer this measure to the consideration of the Proprietors, with whom alone the power rests of consenting to such a fundamental change in the constitution of the Company. But they must at the same time, beg leave, in the most unequivocal manner to declare their conviction, that though this alteration may, and probably will, be attended with many serious inconveniences to the whole frame of that Government, which, whatever opinion may have been formed of its imperfections, has, beyond all dispute, acquired and maintained for Great Britain a paramount, and almost undisputed sovereignty in the East, it will not give to the nation those commercial advantages, which it has been the habit of many of the commercial interests of this Country to contemplate.

The Court, however, hope it will be understood by your Lordship, that they have entertained this opinion, not upon the narrow, and now justly exploded ground, which they are sorry to see has been imagined by your Lordship to exist, that the Company have ever considered a monopoly to be more beneficial, in all cases of "foreign and distant trade, than an unrestrained commerce," but upon the conviction with which they have been impressed, that an exclusive trade with India is the only one really applicable to the maintenance of the public interests with that country, interwoven as that trade is with the very frame and integrity of those possessions, and resting, as it does, upon many highly important considerations, which are, in no wise, applicable to other commercial establishments.

In support of these opinions, the Court beg leave to enclose abstract copies of the Accounts (A and B), which have been called for, and laid before the Committee of the Honourable House of Commons upon East-India Affairs, established in 1808, and continued to the present time, which they imagine will afford a fair representation of the trade in bullion and in goods carried on with India, as well by individuals as by foreign nations; and these Accounts will, they trust, establish, in a conclusive manner, the correctness of the sentiments entertained by the Court respecting this trade.

In communicating, however, those sentiments of reluctance, by which the determination of the Court to submit the proposition in question to the Proprietors of East-India Stock is accompanied, the Court hope it will be clearly understood, that this determination arises from a presumption, that such military powers as are now vested in the Company will be left unimpaired, which can alone induce them to entertain an expectation of their being able in a manner satisfactory, either for the Company or the Public, to perform the part which has hitherto been assigned to the Company in the government of a distant empire; and also, that such regulations will be adopted, as will prevent the highly dangerous intercourse of Europeans with the East; and that such arrangements will be made, in respect to pecuniary matters, as will enable the Company to meet with confidence the present state of their affairs. The Court also hope, that in the extension of the trade which the Company now enjoy, His Majesty's Mi-

nisters have not had in view the hazardous experiment of dispersing, over all the ports of England and Ireland, a trade now brought, with so much advantage, both to the Company and the Public, to the single port of London.

If the private intercourse with India should, in future, be extended, it may naturally be expected, that upon the return of peace, a number of British seamen will be thrown out of employ; and the Court are apprehensive that such an intercourse, carried on through the medium of Indian ships and Indian sailors, relaxing as it would do the spirit of the navigation laws, which have always been considered to be the basis of the maritime strength of this country, may be viewed by the nation with extreme alarm, and will probably give rise to many disorders. The Company's papers and offices might furnish material information, by which the relation of the Indian trade with the navigation system could be appreciated, and the Court, if it should be thought likely to be of public utility, are ready to have that information collected; but without such call, and without pressing their reasons at length, either upon your Lordship or the other Members of his Majesty's Government, they will content themselves with the declaration they have already made of their opinion upon this subject.

The Court are desirous of taking this opportunity to offer some remarks, and to answer, in a cursory manner, part of those public accusations, which have been so assiduously urged against the East-India Company, and against the further continuance of a system, which, they hope, will appear to rest, not upon the grounds of individual interest, but upon the firm basis of national advantage.

Whatever opinions the Court may deliver, upon a subject in which they are manifestly interested, will doubtless be received with circumspection; but the Court think, that they may be allowed, and with justice upon the present occasion, to assert, that the leading disposition of their minds is, to preserve the empire obtained in India to the parent state.

The first, and the most prominent of the charges, which have, at various times, been brought against the Company, is the repeated calls which they are accused of having made upon the Public, for money for the prosecution of ruinous concerns; as if they had dissipated large sums in useless and improvident undertakings. Upon

this head it may be sufficient for the Court to observe, that their commercial affairs (and to those alone was the Company's management restricted) have been invariably attended with success, as they are prepared to shew, if the proof should be called for; and that these advantages have been sufficient to allow of a moderate dividend to the Proprietors of East-India Stock. Over and above this dividend, a surplus sum has been applied, arising from this source, towards the extension of that territory, the acquisition of which has

been under the immediate direction of His Majesty's Ministers.

But the Court are persuaded, that the magnitude of the affairs which the Company have had to manage, has been little known and little attended to, otherwise it would, at once, have been seen, that one of the principal difficulties with which the Company have had to contend, is a capital, not in any respect equal to the great extent, variety, and importance of those affairs.

The disbursement of the Company upon the single article of commerce in goods and wares, &c. or of articles necessary for its management, a disbursement of sums going from and returning to the Company, from one moment to another was, at the close of the year 1811, not less than about

£. 14,847,678

To this must be added, the amount of advances in India and at home, for stores of various kinds, applicable to the purposes of Government, and in constant use for military equipments, &c.; of cash, arms, &c. and of debts due to the Company from various states and princes, &c.; and other articles, making, at the close of the Indian year 1810, about

21,282,270

If to these sums be subjoined the absolute expenditure made by the Company, for the acquirement of a territory, with forts, ammunition, &c. and the actual purchase of many factories and territories, building of docks, purchase of forests, &c. including a considerable sum, which has been paid by them, at various times, to the Public, or disbursed for expeditions, and the maintenance of captures afterwards surrendered up to the enemy, viz.

15,052,170

They form altogether an aggregate of

£. 51,182,127

The Capital of the Company is:

In money advanced by the adventurers, about

£. 7,780,000

And they receive from the aid of bonds at home

7,000,000

And from other contingent credits, at home and abroad, about

7,787,953

Together

22,567,953

Leaving a balance of

£. 28,614,174

Constituting, at this moment, a permanent debt in India and in Europe. (See C.)

This aggregate of 51,182,127*l.*, a part of which sum only has been employed upon the territorial acquisitions of the Company, forms an outlay, beyond the capital of the Company, of so large an amount, as to make it more matter of wonder how the Company have hitherto been able to carry on the concern at all, than to render it extraordinary that they should have been constrained, respectfully and at various times, to represent the urgency of their affairs, and to press upon the Public for the mere return of those sums, which had been fairly expended by the Company abroad for the public service; a return which has never yet been granted to the Company, to the extent to

which in justice it ought to have reached. In every war which has taken place since the Company became possessed of the territorial acquisitions, large sums of money have been expended in capturing the settlements of the French, Dutch, and Danes, and heavy expences incurred in keeping the same, till the political views of the Public occasioned these settlements to be restored, in return for other objects, in which the Company had no particular interest. The Company have also been compelled to pay part of the expence of capturing and maintaining an island afterwards reserved for the exclusive benefit of the Crown; to disburse a considerable sum for a force, of which the Public have

derived all the benefit at home ; and even to contribute to the Egyptian expedition, the whole of which expences the Company have always thought ought to have fallen upon the State.

This large and necessary outlay in fact now constitutes the source of the Company's embarrassment. A considerable part of the money raised in India upon periodical loans to meet this outlay, has (as your Lordship well knows) by the terms of these loans, which made them payable if required, in England, and in consequence of a general reduction of interest from eight to six per cent. been at once thrown upon the Company for immediate payment in Europe ; a sum which, without the aid of Parliament, it is impossible for the Company to discharge.

Of this large expenditure, sanctioned, and in many cases specifically directed by the Ministers of the Crown, it may with justice be asked, what part has been incurred for the partial or exclusive advantage of the Company ?—It is evident, that the whole concern has been begun and continued by private exertions alone ; nor have the Proprietors received by any means an adequate recompence for those exertions ; they have scarcely derived more benefit than the common interest of money. And if India be an object of regard to the world, the Company may have the satisfaction of thinking, that they at their own risk and expence, have rescued it from contending nations, and may claim the merit of having laid it at the feet of their country ; acquired and preserved it is true, at a great pecuniary expence, and by such abilities and such exertions, both civil and military, as not only to reflect the highest credit upon the East-India Company, but also to raise, as the page of history will testify, the national character. They venture to hope, that when all the great political relations of this acquisition are considered, the price paid for it will not be deemed as out of proportion to its intrinsic value.

The wisdom of Parliament will, the Court make no doubt, be applied to preserve what has been so acquired, and finally do justice to those, at whose risk it has been obtained ; and not be induced to barter positive, and very large immediate advantages, against speculative notions and theoretical plans.

In the second place, it has been often urged, that the Company have been favoured, during these exertions, with an

exclusive trade, and that the nation has thereby lost an opportunity of extending their commercial enterprizes over a large quarter of the globe. It is true, that the Company have been favoured with this exclusive trade ; but it may fairly be asked, would India have belonged to Great Britain if this exclusive trade had not existed ? That this trade would have been of greater magnitude in the hands of individuals, is yet a matter that remains to be proved : but it is obvious, that during part of the above period, viz. from the year 1768 to 1812, the Public have received, in direct contributions from the Company, a sum not falling short of 5,135,319*l.* as will appear by the accompanying Account (D.)

With respect to the immediate produce of this trade to the Public, the Court believe it will bear a comparison with that arising from any other distant possession. It produced last year to the Public the large sum of 4,213,425*l.* (E), viz. in customs 759,595*l.*, and in excise 3,453,830*l.* ; and though this return to the Public be larger, as the Court have reason to think in respect to the capital employed, than the return from any other trade, it has, at the same time, been collected with a facility unknown to other concerns ; an advantage which has been obtained, partly by the progressive enactment of regulations the fruit of many years experience, and partly by the concentration of the trade in a single port, and the prevention of smuggling, which has been the consequence of it.

But what has never yet been fairly estimated in the existence of the East-India Company is, that the whole of these returns have been brought into the exchequer of the Public, without the Public having been called upon for any direct contribution for the preservation of the source from whence they have had their rise, whilst the possessions of the Crown, in every quarter of the globe, have drawn from them a considerable sum for their support in troops. What has been saved to the State has thus, the Court conceive, been gained by the Public, and would amount, as the Court are satisfied, in only twenty years, to a sum of a very great magnitude. From the Navy, indeed, the East-India Company have received important assistance ; but such assistance, it must be recollected, has been afforded to them only in common with the rest of His Majesty's subjects.

That the trade of the Company has been

highly beneficial to the Public, in affording a nursery for seamen in time of war and employment for them in time of peace, and that the Company's maritime service has contributed materially towards those benefits, cannot, the Court apprehend, be doubted; nor that the fortunes of individuals, acquired either in the service of the Company, or by their industry and exertions under the Company's protection, have gradually contributed to the accumulation of that public stock of national wealth, which has enabled this country to stand, almost alone, against the united exertions of nearly all Europe.

Having offered these cursory observations upon matters of such obvious im-

portance, we are directed by the Court to state, that as the pecuniary arrangements necessary for the support of the Company cannot, with propriety or with effect, be made the subject of correspondence, they beg to refer these points, as well as all those of inferior detail, of which there are a great many, to a personal conference between your Lordship and the Deputation of the Court, which had the honour to wait on your Lordship this morning. We have the honour to be, My Lord, &c.

JACOB BOSANQUET,
HUGH INGLIS.

The Right Hon. Lord Viscount Melville, &c.
&c. &c.

A.

An ACCOUNT, shewing the Total Amount of the Official Value of the Bullion and Merchandize Imported into, and Exported from British India, (Bengal, Madras and Bombay) to London, America, and Foreign Europe, for Six Years, viz. from 1802-3 to 1807-8, both inclusive.

	TOTAL of the IMPORTS into INDIA.			TOTAL of the EXPORTS.
	Bullion.	Goods and Stores.	Total.	Of Goods only.
London :	£. Sterling.	£. Sterling.	£. Sterling.	£. Sterling.
By the East India Company - - -	4,939,128	5,547,501	10,486,629	8,108,897
By Commanders and Officers of the Company's Ships - - -	179,756	2,640,000	2,819,756	1,939,000
By British Private Traders - - -	1,167,460	1,832,980	3,000,440	5,681,740
Americans - - - - -	4,543,662	667,654	5,211,316	4,803,283
Foreign Europeans - - - - -	2,051,093	1,072,960	3,124,053	2,437,752
Total Imports and Exports - £.	12,881,099	11,761,095	24,642,194	22,970,672

Memorandum.—There has been a small quantity of Bullion exported from India to Europe and America, to the extent of Sicca Rupees 1,75,316, but which is not material to the present Account.

Note.—The value of the Company's Imports into India is taken from the invoices of the ships as they arrived in India, with the addition of ten per cent. upon the invoice price outwards. The value of the British Private Trade, as also the American and Foreign European, is the Indian official value, and which appears to correspond pretty nearly with the market prices in India. In order to make a just comparison between the amount of the Company's and the Private or Foreign Trade, the goods should be exactly reduced to the same denomination of value; but this is not strictly practicable.

Errors excepted,
(Signed) ROBERT WISSETT.

East-India House, 4th March, 1812.

B.

AN ACCOUNT, shewing the Amount of the Official Value of the Bullion and Merchandise Imported into, and Exported from British India, (Bengal, Madras, and Bombay) to London, America, and Foreign Europe, on an average of six Years, viz. from 1802-3 to 1807-8, both inclusive.

	ANNUAL Average of the IMPORTS into INDIA.			Annual Average of the EXPORTS, Merchandise only.
	Bullion.	Goods and Stores.	Total of Imports.	
London:	£. Sterling.	£. Sterling.	£. Sterling.	£. Sterling.
By the East India Company - - -	823,188	924,583	1,747,771	1,351,463
By Commanders and Officers of the Company's Ships - - -	29,959	440,000	469,959	923,167
By British Private Traders - - -	194,576	305,496	500,072	946,956
Americans - - - - -	757,277	111,275	868,552	800,547
Foreign Europeans - - - - -	341,849	178,826	520,675	406,892
Total average Imports and Exports - - - - - £.	2,146,849	1,960,180	4,107,029	3,828,445

The proportions of which are:

Exported to England - - - $\frac{58}{100}$, or upwards of $\frac{1}{2}$ th.

D^o - - to America - - - $\frac{21}{100}$, or less than $\frac{1}{5}$ th.

D^o - - to Foreign Europe $\frac{21}{100}$, or less than $\frac{1}{5}$ th.

The exports of individuals from Britain are:

Bullion - - -	£.
Goods - - -	194,576
	305,496
	£.
	500,072

The imports of ditto into Britain - - - - - 946,956

Difference, per annum, - - - 446,884

being not a trade but a remittance, deducting the amount of the profit on exports.

Errors excepted,

East-India House, 4th March 1812.

(Signed) ROBERT WILSON.

C.

OUTLAY, Commercial and Territorial, of the East-India Company at Home and Abroad, made up, in respect to the Indian Accounts, to the 30th April 1810, the Home Accounts to the 1st March 1811.

COMMERCIAL OUTLAY.

No. I.	£.
Cash - - - - -	460,738
Value of goods sold and unsold - - - - -	5,053,417
Value of goods afloat - - - - -	3,379,389
House and warehouses - - - - -	1,207,090
Balance of property at China and Cape of Good Hope - - - - -	1,240,652
Cash, goods, and debts, commercial department India - - - - -	3,071,637
	£.
	14,412,923
Balance of property at Bencoolen and St. Helena: the Outlay at these places being of an anomalous nature, it is stated separately - - - - -	434,755
	£.
Total Commercial Outlay - - -	14,847,678

Brought forward (Commercial Outlay) - £.14,847,678

TERRITORIAL OUTLAY, INDIA; viz.

No. II.	
Cash in the several departments, 30th April 1810:	£.
Bengal, S. R. 4,11,38,439, at 2s. per C. R.	- 4,772,058
Madras, Pags. 1,16,24,307, at 8s.	- 4,649,723
Bombay, B. R. 53,58,932, at 2s. 3d.	- 602,879
	<u>10,024,660</u>

Debts owing to the Company:

Bengal, S. R. 1,33,49,444, at 2s. per	
C. R.	- £.1,548,535
Madras, Pags. 94,93,034, at 8s.	- 3,797,214
Bombay, B. R. 54,01,917, at 2s. 3d.	- 607,716
	<u>5,953,465</u>

Stores, &c.:

Bengal, S. R. 97,82,114, at 2s.	£.
per C. R.	- 1,134,725
Madras, Pags. 33,16,927, at 8s.	- 1,326,771
Bombay, B. R. 38,31,083, at 2s. 3d.	- 430,997
	<u>2,892,493</u>
	8,845,958

Balance of property at Prince of Wales's Island - - - 224,406

Indian Territorial Outlay - - - - - £.19,095,024

Debt due from Government, the balance of
the original debt of 4,200,000*l.* - - - 1,207,560

Debt due from Government, the balance of the
account for troops, stores, supplies, &c. - 960,000

Advances to several persons in India to be repaid 19,695

2,187,253

Total Territorial Outlay - - - - - 21,282,279

No. III. 30,129,957

The expenditure at home and abroad, for the acquisition of territory, &c.

being the balance of the stock account, 1st March 1811 - - - 15,052,170

Sum total of Capital necessary to carry on the concern - - - £.51,182,127

No. IV.

The capital advanced by the Adventurers - - - £.7,780,000

The capital raised by bond - - - 7,000,000

14,780,000

Other capital, being a floating debt generally due on various
accounts: £.

Borrowed of the Bank - - - 700,000

Estimated commercial floating drafts - 600,000

Sundry sums owing to individuals in

England - - - 2,155,922

3,455,922

Debts, deposits, arrears of interest, and allow-
ances and loans, not bearing interest: £.

Bengal - - - 2,843,134

Madras - - - 1,017,238

Bombay - - - 408,792

4,269,164

Debts in India, commercial - - - 62,867

7,787,953

Total of Capital, without the Bond-debt of India - - - £.22,567,953

Brought over (Capital) - £.22,567,933

No. V.

Difference, being the balance necessary to remain in permanent loans,
for the purpose of carrying on the concern - - - - - 28,614,174

£.51,182,127

Errors excepted,
(Signed)

CHARLES CARTWRIGHT,
Accountant General.

East-India House, 4th March 1812.

D.

STATEMENT of the Contributions from the East India Company to the Public, from the
Year 1768 to the Year 1812.

Paid from 1768 to 1775, in consequence of an agreement concerning the territorial possessions, (7 Geo. III. cap. 57, and 9 Geo. III. cap. 24) ...	£. 2,169,399
Paid from 1769 to 1773, for indemnity on tea - - - - -	483,050
Paid in 1779, bounty for seamen raised for the service of Government -	13,653
Paid in 1780 and 1781, three ships of the line presented to Government -	95,340
Paid in 1781 and 1787, per agreement for a new Charter in 1781 - - -	400,000
Paid in 1789 and 1790, for victualling the navy, and charges of His Majesty's troops in India - - - - -	500,000
Claim of the Company for subsistence of French prisoners of war, and other expences incurred by the Company on account of Government, written off in 1793 per Act of 33 Geo. III. cap. 52, sec. 127 - - - - -	443,632
Paid in 1793 and 1794, for participation, pursuant to the Charter Act of 1793 - - - - -	500,000
Paid in 1795 and 1796, expence of 3,000 seamen raised for the service of Government - - - - -	57,000
Paid in 1803 and 1804, armed ships, hired for the service of Government, and employed in defence of the country - - - - -	67,330
Loss from 1793 to 1811, by saltpetre supplied to Government at less than prime cost, as per obligation of the Charter - - - - -	405,906
	<u>£.5,135,319</u>

Errors excepted,
(Signed)

CHARLES CARTWRIGHT,
Accountant General.

East India House, 4th March, 1812.

E.

AN ACCOUNT of the Duties of Customs and Excise received on Goods imported and
exported by the East India Company, in the year ending January 1811.

Customs on Tea - - - - -	£.219,322
- - - - - other Goods - - - - -	498,901
Export Duty - - - - -	17,653
Tonnage Duty - - - - -	23,719
Total Customs - - - - -	<u>759,595</u>
Excise - - - - -	<u>3,453,830</u>
Total Customs and Excise	<u>£.4,213,425</u>

Errors excepted,

(Signed) CHARLES CARTWRIGHT,
Accountant General.

East India House, 4th March, 1812.

MINUTE of a Meeting of the Deputation, the 3d of March, 1812.

The Deputation appointed by the Court to confer with the President of the Board of Commissioners for the Affairs of India assembled this day, in consequence of their appointment of the 2d instant. The Chairman laid before the Deputation, Minutes of a conference which the Chairs had with lord Melville, on the 20th of February, and also with his Lordship, Mr. Perceval, and Mr. Long, on the 24th February; likewise several accounts, shewing the present and prospective situation of the Company's pecuniary affairs. The Chairman then suggested certain propositions, as Hints, to be submitted to lord Melville, which after full deliberation the Deputation resolved to adopt, and to wait upon his Lordship to-morrow, at half past ten, for the purpose of offering them to his consideration.

At a SECRET COURT of DIRECTORS, held on Friday, the 6th of March, 1812.

The Chairman acquainted the Court, that the Deputation appointed the 2d instant had waited on lord Melville, with a paper containing Hints for his Lordship's consideration, which had been approved by the Committee of Correspondence. The Chairman gave some general explanations, as to what passed at the conference; and added, that lord Melville's opinion, on the various propositions submitted to him by the Deputation, would be stated by his Lordship in writing, and should be communicated to the Court as early as possible.

HINTS approved by the Committee of Correspondence, and submitted to the consideration of the Right Hon. Lord Melville; noticed in the preceding Minute.

That the renewal of the Charter shall proceed upon the basis of the Act of 1793, and that no greater extension of the trade shall be granted than what was allowed by that Act; but the Deputation are ready to recommend to the Court of Directors, and ultimately to the Court of Proprietors, to admit such modifications as may be deemed necessary to give greater facilities to the private trader.

1st. No British or Indian ship to sail, directly or circuitously, from a British port in Europe to China,

2d. No British subject to be permitted to reside in China, without the Company's licence.

3d. No goods, the growth or produce of China, to be imported into any of the ports of the United Kingdom, except by the East India Company.

4th. The power of levying duties in India upon British subjects, and the subjects of foreign nations, to be continued to the Company, upon the footing on which it at present exists; and the same power, with respect to British subjects, to be extended to the districts within the jurisdiction of the courts of Calcutta, Madras, Bombay, and Prince of Wales Island.

5th. Saltpetre to be considered as a political article, and to be confined exclusively to the Company.

6th. The whole of the Indian trade to be brought to the port of London, and the goods sold at the Company's sales, and to be, as, at present, under the Company's management.

7th. The three per cent. now paid to the Company by the private traders, for the warehousing and management of the private trade, to be increased to five per cent.

8th. No private ship to be permitted to sail for India, except from the port of London.

9th. No ship to be permitted to sail, except under a licence from the East India Company. Ships obtaining this licence, to deliver one copy of their journals at the East India House; and the licence to contain such clauses, as may be likely to prevent an unlimited or improper intercourse of individuals with India.

10th. Fire-arms, military and naval stores, to be prohibited articles.

11th. Existing restrictions, with respect to the article of piece goods, to be continued.

12th. It being desirable, as well for the public as for the Company, that the quality of the silk grown in India should not be deteriorated, it is submitted that this article be confined to the Company.

13th. The ships of private persons to be subject to the same regulations, in respect to convoys, &c. as those belonging to the Company.

14th. No private ship to be permitted to sail, either from Great Britain to India, or from India to Great Britain, of a less burthen than four hundred tons.

15th. The Company to be subject to no obligation with respect to Exports to In-

dia, except in common with the private traders.

16th. The Lascars and Chinese sailors brought home in private ships, to be placed under proper regulations. Not, upon any account, to be suffered to wander about the streets of London. Good treatment to be secured to them, and the Company to be enabled, by some summary process, to recover the expences to which they shall be subjected, in the event of neglect on the part of the owners of such ships in these respects.

17th. The Company to be indemnified for their unexpired engagements for extra shipping, provided for the accommodation of the private traders.

18th. An unrestrained intercourse with India to be prevented, and the existing restrictions, with respect to residence in India, to be continued.

19th. The number of his Majesty's forces in India to be in future maintained by the East India Company to be now fixed, and any troops sent beyond that number (except at the express requisition of the East India Company) to be at the charge of the Public.

20th. The Company to be released from any future account with the Pay Office, and to be henceforward charged, either so much per regiment of a given force, or so much per man.

21st. The present heavy current and postponed demands of the Pay Office against the Company to be arranged upon some footing of general equity, and some advenience in settling this account made to the share which the Company have been obliged to bear in foreign captures not retained by them, and to their having been constrained to maintain an European and native force, larger than what was required for the defence of the Peninsula, and other heavy expences.

22d. The Proprietors to be secured, as at present, in the receipt of their dividend of ten and a half per cent, upon the faith of which dividend the capital in 1793 was raised.

23d. The whole of the surplus of the East India Company to be appropriated to a diminution of their debts until their debts be reduced to the sum of ten millions sterling.

24th. The sums required by the East India Company to liquidate the debt transferred from India to Europe, and becoming payable in 1812 and 1813, to be funded by the Minister, the interest of which

shall be regularly paid into His Majesty's Exchequer by the Company, together with any such per centage, for the gradual liquidation of the capital or redemption of the fund, as shall be deemed proper by His Majesty's Ministers.

The twenty-fifth article did not form a part of the propositions submitted to Lord Melville, but is now introduced by the Committee of Correspondence, and is as follows; viz.

25th. That, in order to give the utmost possible extension to the commerce of private merchants, and at the same time to secure the Company's exclusive trade to and from China, private ships be not permitted to go farther eastward than Point Romania, at the entrance of the China Seas, and to the northward, not beyond the equinoctial line.

N. B. Should it be the intention of Government that private traders shall be excluded from the Spice Islands, the limits ought then to be for them not to go to the eastward of the Straits of Bally, nor to the northward of the Line.

At a SECRET COMMITTEE of Correspondence, the 18th March 1812.

The Chairman acquainted the Committee, that the Deputy and himself had yesterday waited on Lord Melville, and that his Lordship had appointed to-morrow, at one o'clock, for a conference with the Members of the Deputation.

The Committee agreed to recommend to the Court to-day, that the Quarterly General Court, to be held on Wednesday, the 25th instant, be made special, for the purpose of laying before the Proprietors the Communications which have taken place between His Majesty's Government and the Court of Directors, respecting the renewal of the Company's Charter.

It was also

Resolved, That the Papers containing the said communications be printed for the information of the Proprietors, and under the superintendence of the Assistant Secretary.

Draft of a Letter to Lord Melville, to be signed by the Members of the Deputation, requesting that a longer term than that which was fixed in 1793, may be granted for the renewal of the Company's exclusive privileges, was read and approved.

The Chairman calling the attention of the Committee to the correspondence which had passed between Lord Combs

reagh and the Chairs at a former period, as to relieving the Proprietors of East-India Stock from the payment of the Income-tax on their dividends,

The same was read; viz.

Letters from the Chairs to Lord Castlereagh, dated the 2d December 1803 and 7th July 1804; and

Letters from his Lordship to the Chairs, dated 20th December 1803 and 12th September 1804.

Draft of a letter to be signed by the Deputation and addressed to Lord Melville upon that subject; and also submitting to his Lordship's consideration, the expediency of providing that the additional dividend of ten shillings per cent. paid on the Company's stock under the Act of the 33d of His present Majesty, cap. 52, sec. 124, may be paid out of the general profits of the Company.

CORRESPONDENCE with the Right Hon. Lord Viscount Castlereagh, noticed in the preceding Minute.

LETTER from the Chairman and Deputy Chairman to the Right Hon. Lord Viscount Castlereagh.

East-India House, Dec. 2d, 1803.

My Lord; We have waited until we had obtained a distinct legal opinion from the Company's law adviser, with respect to the power possessed by the Company of paying the Property-tax out of the profits of the Company, previous to the declaration of a dividend to the Proprietors of East-India Stock.

But that opinion having been lately returned to us in a shape unfavourable to our hopes and expectations, we have received the injunctions of the Court of Directors to submit this opinion to your Lordship's consideration, and at the same time, to express their hopes, that your Lordship and the rest of His Majesty's Ministers will think it just and advisable, that the power to which we have above referred should be granted to the Company by some legislative provision.

Upon this occasion we have to observe to your Lordship, that as the law at present stands, the Company are obliged to deduct the full amount of the tax in question from all the dividends payable to foreigners or other persons, however small the amount of their capital stock may be; although it is fairly questionable, how far the former is legally chargeable to this tax, in respect to those profits that may be

presumed to arise from the Company's foreign possessions, and whether the latter, in some cases, may not be entitled to a partial, and in others to an entire return of the tax so retained, in respect of the smallness of the proprietors' incomes. We must also submit, that as the greater part of the other public companies possess the power, and, as we understand, are disposed to exercise the means of discharging this tax out of their surplus profits, it must appear doubly irksome to the Proprietors of East-India Stock to seem an almost solitary exception to this general practice, particularly when they advert to the disposition which has, at all times, been evinced by them, cheerfully and voluntarily, to come forward for the service of the State, even when their own immediate interests have thereby been placed at stake.

We feel the more freedom in pressing this point, because we, in common with your Lordship, have entertained an expectation, that the Public (after a war which has existed almost since the last renewal of the Company's exclusive trade) would have been placed in possession of the share of the Company's profits, secured to them by the Act of 1793, if the enormous taxes which the necessities of the State have rendered it necessary to impose upon teas and the other articles of the Company's Trade, and the inevitable expences of another war, had not placed a bar to those expectations, which we think might otherwise reasonably have been formed.

We therefore venture to express a sanguine hope, that under a proper consideration of all the circumstances of the present case, under a review of the very large sums annually paid to Government out of the Company's trade, amounting to not less than 3,200,000*l.*, as appears by the enclosed account, and which, in fact, ought in part to be considered as an anticipated partition of the Public out of the Indian revenues, since nothing short of a surplus in India would, we conceive, have enabled the Company to support them to the extent they are now imposed;—that, under a due attention to the benefits which even the Public themselves (when we advert to their interest in the ultimate prosperity of the Company) may derive from an increased value to the price of the Company's stock, which may be affixed by such a measure, in case a commerce, extended beyond its present amount (an event not at all improbable), should here-

after demand additional funds to carry that commerce on;—and, finally, that under a consideration of what is due to the known and experienced liberality of the Company's efforts in the public service, your Lordship's interference, with the rest of His Majesty's Ministers, will be given, to assist what, we hope, may be considered in the light of the neither unjust or the unreasonable pretensions of the Court of Directors, in behalf of the Body they represent upon the present occasion.

We have the honour to be, My Lord,
Your most obedient humble servants,
JACOB BOSANQUET,
JOHN ROBERTS.

The Right Hon. Lord Viscount
Castlereagh, &c. &c. &c.

LETTER from the Right Hon. Lord
Viscount Castlereagh, to the Chair-
man and Deputy Chairman.

Whitehall, 20th December 1803.

Gentlemen; I have to acknowledge the honour of your letter of the 2d instant, on the subject of which I have had a very full and deliberate discussion with Mr. Ad-dington.

We should both feel anxiously disposed to lend our aid to the accomplishment of any measure which had a tendency to accommodate the holders of East-India Stock, but under all the circumstances of the present case, regard being had to the existing appropriations under the Act of 1793, the degree in which the funds at home and abroad may be affected by the peculiar circumstances of the present year, and the difficulty that must necessarily attach to the proposition, whether it be considered in the light of relieving from the tax a particular description of income arising from property, by throwing the same on other funds, or in that of a temporary and special increase of dividend to the Proprietors, we do not feel ourselves warranted in advising the Court to submit a Bill for this purpose to Parliament.

We are further of opinion, that the relief sought by the measure is not of that magnitude, which should induce the Company to solicit this indulgence from Parliament, under the difficulties above stated; nor are we persuaded if, in point of fact, other corporate bodies have so relieved themselves from the tax, that the proceeding, on their part, however warranted by law, affords a precedent, which, in principle, the East-India Company, with an

enlarged view to their own interests, should be solicitous to follow.

I have the honour to be, &c.

CASTLEREAGH.

The Chairman and Deputy
Chairman of the East-
India Company.

LETTER from the Chairman and De-
puty Chairman to the Right Hon.
Lord Viscount Castlereagh.

East-India House, the 7th July 1804.

My Lord; It is in consequence of the instructions of a General Court of Proprietors which lately assembled, to take into consideration the tax levied, in virtue of the 43d of the King, on the dividends payable on East-India Stock, that we now take the liberty to address your Lordship again on that subject.

Notwithstanding the answer returned by your Lordship to the application which our predecessors in office made to you, under date the 2d December last, for the aid of His Majesty's Ministers, in order to relieve the holders of the Company's Stock from the payment of the Property-tax out of their dividends, the Proprietors still think, that whether regard be had to the design and spirit of the Act of 1793, to the general state and circumstances of the Company, or to the peculiar situation of the Stockholders, they are aggrieved by the operation given, in their case, to the Act imposing a tax on property.

It was after a full consideration and adjustment of the interests of all parties, the Public, the Company, and individuals, that on the renewal of the charter, the dividend of the Stockholders was fixed at ten and a half per cent. per annum. The law then made, in allowing it to rise to that rate, forbid it to go higher; and the reduction of it below that rate was left to the discretion of the proprietors themselves. This was, therefore, understood to be the fixed certain income assigned to the members of the company, out of all its funds, territorial and commercial. And hence, we think, it may fairly be argued, that such a deliberate formal settlement cannot justly be disturbed, but by a proceeding equally direct and appropriate; and that no mere measure of taxation, having only a general aim, without any cognizance of the peculiar circumstances under which this arrangement was concluded, ought to defeat it, because if the contrary principle be once admitted, whilst the public is still immensely benefited by Indian

revenue and trade, and all the other classes of subjects connected with them continue to derive the advantages provided for them, the Proprietors of that Stock, which has been the foundation and support of the whole, may absolutely be divested of all the dividend they were to receive from it. We think, therefore, it may be contended, that conformably to the spirit of the Act of 1793, the Property-tax should not operate upon the dividend, but be a charge upon the general funds of the Company.

This will appear more reasonable, if it be considered that very many of the Proprietors of India Stock, who have held that Stock long, receive no more on the cost of it than the common interest of money, namely five per cent, whilst their property is exposed to the influence of all the adverse contingencies to which the Company's affairs are liable; and whilst the Company, that is to say, those Proprietors in their collective capacity, serve as the channel, or medium, by which immense advantages are diffused through the nation, in its commerce, its revenues, and the wealth of all the successive races of British subjects, employed in or connected with their territories and affairs. These just observations acquire now a peculiar force, when, in duties and customs alone, the Eastern commerce pays to the State 3,226,000*l.* per annum, and when the receipts of the Company, for the last twelve months, are diminished near a million sterling, in consequence of the new and excessive duties imposed on their trade.

We are unwilling to urge the liberality which the Company has on all occasions manifested, to aid, according to its means, the exertions of the State; but the duty imposed on us by our Constituents, requires that liberality should be noticed on the present occasion. By subscribing for two millions of the Loyalty Loan in 1797, the Company lost the sum of 206,000*l.* The three complete and effective regiments of volunteers, which they have maintained for a number of years past, have cost them very large sums; and the last aid given by them in shipping, on the particular suggestion of government, is a new instance of the promptitude and alacrity with which they devote their funds to the support of the public interest.

After all these contributions, it has appeared ungracious to the Proprietors, that whilst other public bodies, which had not

given so largely to the wants of the State, were allowed to defray the Property-tax out of their general funds, the Proprietors of East-India Stock were required to charge the modicum they received for the use of their own money, and for being the agents in such vast concerns, with a tax, hard upon them, though unimportant in its amount to the public, and from which, they conceive, the act of 1793 ought to protect the dividend then accorded to them.

When our predecessors in office mentioned a reference to parliament, they probably had no more in view than some supposed necessity of a modification of the Property-tax; but we humbly apprehend that, in order to exonerate the Proprietors, individually, from the payment of the tax, no such reference is necessary, since for engaging in the Loyalty Loan, for forming the three regiments of volunteers, and for the late aid of shipping, it was thought sufficient that his majesty's ministers should consent to the defraying of the charges arising from these measures, out of the general funds of the Company.

Wishing to state nothing upon this subject, but what appears to us naturally to grow out of it, we shall only add, that the effect of the imposed tax upon the value of the Company's Stock must be very obvious, since the dividend receivable upon any public fund is, in fact, the measure of its value in the market, and every reduction, by whatever means, effected in the produce of any stock, is in reality a reduction in the worth of the capital; and accordingly we find that the Stock of the India Company, compared with that of the Bank, sells at a price disproportionably low.

Upon all these grounds, with those which have been before urged, we cannot but request and hope, that as the determination of the point which our constituents, not from interest only, but from various other motives, have so much at heart, seems not to depend upon any revisionary proceeding of parliament (which however if necessary, we should still urgently desire), but upon the acquiescence of his majesty's ministers, we cannot but earnestly request and hope, that it will seem expedient to your Lordship to add your own recommendation to this representation, and that you will have the goodness to submit both to the Chancellor of his majesty's

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The additional stock has not been raised, and the separate fund has been found adequate to the payment of the dividend of ten shillings per cent. upon the existing capital hitherto, and will continue to be so until the year 1819, when it will be nearly exhausted.

As the Proprietors have derived from the dividends little more than five per cent. on the capital, it appears to us that, on the renewal of the Company's privileges, they may entertain a reasonable expectation of continuing to receive this addition of ten shillings to the usual dividend of 10l. per cent. ; and as the separate fund will not, as stated above, be sufficient for the purpose, during any probable term, for which the renewal may be granted, we take the liberty of submitting to your Lordship's consideration the expediency of providing for the additional dividend, out of the general profits of the Company.

The other point to which we request your Lordship's attention is, the payment of the Property-duty on the dividends. The Court of Directors and the Proprietors have always considered it a hardship, that this duty was not allowed to be paid from the profits of the Company ; we have the honour to enclose copies of letters on this subject, which were addressed to Lord Castlereagh in 1803 and 1804, and we flatter ourselves that the arguments they contain will induce your Lordship, when the question of renewing the privileges of the Company is under discussion, to recommend that authority may be given to make the Property-duty on the dividends a charge on the general profits of the Company.

As the profits of the Company were specifically appropriated by the Act of 1793, some difficulty may possibly, from that circumstance, have occurred in conceding this point ; but as, in any new arrangement, the subject of appropriation will necessarily undergo considerable modification, we should hope that the objection formerly urged may easily be obviated.

If it should be finally determined, that the surrender of any considerable proportion of the exclusive privileges of the Company is to be made, it appears to be the more necessary, that some boon should be held out to the Proprietors in alleviation of the sacrifices to which their consent may be required ; we hope, therefore, we may be permitted to indulge a confident

Exchequer. We have the honour to be,
&c. (Signed) W. F. ELPHINSTONE,

CHARLES GRANT.

The Right Hon. Lord Viscount
Castlereagh, &c. &c. &c.

LETTER from the Right Honourable
Lord Viscount Castlereagh to the
Chairman and Deputy Chairman.

India Board, 12th Sept. 1804.

Gentlemen; In compliance with the desire of the Court of Proprietors, as expressed in your letter of the 7th July last, I have reconsidered, with the most earnest disposition at all times to promote their wishes, the opinion which I before presumed to express, on the propriety of their dividends being discharged from any deduction on account of the late tax upon property, by causing the same to be paid out of the general funds of the Company, and I have also communicated with Mr. Pitt on this subject.

Notwithstanding the very ingenious reasoning contained in your letter, we are clearly of opinion, that a payment of this nature, directed to the individual emolument of the Proprietors of India Stock, and not in any respect to the public service of the Company, cannot be issued, under the existing appropriations affecting their funds, without the express sanction of Parliament.

Had the tax been directly imposed on income, as under the former law, we apprehend it never would have suggested itself to the Court of Proprietors, that income derived from the dividends of the Company should enjoy any partial exemption. The policy of the legislature has recently been, to apply the tax to the sources of income, rather than to levy it, as formerly, upon the statement of the possessor. It does not appear to us, that this change in the mode of assessment can justify a claim to personal relief from the tax itself. If not, the proposition resolves itself either into an increased dividend, or into a new appropriation of the net proceeds, enabling the Company to charge the tax on their funds generally, as some other corporations have done, who are sole proprietors in such funds. This opens so large a question in principle, and for so small an object, either as it affects the interest of the public or the individual Proprietors, that I should conceive, under all the circumstances, the Court will not feel disposed to press it at such a moment upon the attention of Parliament. I have

the honour to be, &c. (Signed)

CASTLEREAGH.

The Chairman and Deputy Chairman
of the East-India Company.

At a SECRET COURT of DIRECTORS
held on Wednesday, the 18th March
1812.

The Chairman from the Committee of Correspondence laying before the Court Draft of a Letter to Lord Melville, to be signed by the Deputation, requesting that a longer term than that which was fixed in 1793 may be granted for the renewal of the Company's exclusive privileges, the same was read and approved; as was also Draft of a Letter to his Lordship, to be signed by the Deputation, submitting to his consideration the expediency of providing, that the additional dividend of ten shillings per cent. paid on the Company's Stock, under the Act of the 33rd of his present Majesty, cap. 52, sec. 124, may be paid out of the general profits of the Company; and also, that authority may be given to make the Property-duty on the dividends a charge on those profits.

LETTER from the Deputation to the
Right Honourable Lord Viscount
Melville; noticed in the preceding
Minute.

East-India House, 18th March 1812.

My Lord; Although we are aware that this may not be considered the proper time to discuss the term of years for which the exclusive privileges of the Company should be renewed, yet, under the prospect of your Lordship's soon leaving the India Board, we are anxious to avoid any delay, in requesting your Lordship's attention to that point.

On reference to the negotiations in 1793, we observe that the principal ground on which the Company founded their application for a renewal of their privileges for a long term, was, that sufficient time might be allowed for the liquidation of their debts at interest in India, the amount of which, at that period, was seven millions sterling. The term then granted was twenty years, from the 1st of March 1794, including the usual notice of three years, this term being considered adequate to the object in view.

The Company's debts at interest in India are now supposed to amount to twenty-five millions sterling, exclusive of the debt in Europe; we trust, therefore, it will be evident, that a longer term than

that which was granted in 1793 is indispensable, to admit of the gradual reduction of the present debt, and the effectual operation of any measures which may be determined on for that purpose.

Without mentioning any particular term, we take the liberty of referring your lordship to the Act of the 3d of George II. cap. 14, to shew that a longer period than that granted in 1793 has been conceded; and as, under every view of the subject, considering the contingencies of the war, or other interruption, we are convinced of the necessity of a more extended term, for the purposes of liquidating debts of such magnitude, and of restoring the Company's affairs to that state of prosperity, which is essential to both them and the Public. We rely with confidence on your lordship's concurrence in the opinion we have submitted, We have the honour to be, &c. (Signed) JACOB BOSANQUET,

HUGH INGLIS,
W. F. ELPHINSTONE,
EDWARD PARRY.

The Right Hon. Lord Viscount
Melville, &c. &c. &c.

LETTER from the Deputation to the
Right Hon. Lord Viscount Melville; also noticed in the preceding Minute.

East India House, March 19, 1812.

My Lord; In addition to the subject on which we had the honour to address your lordship yesterday, there are two points to which we are very desirous of calling your attention, before your Lordship leaves the India Board.

The first point, which is mentioned in the Hints submitted to your Lordship on the 4th instant, is the dividend of ten shillings per cent. paid to the Proprietors, under the Act of the 33d of His present Majesty, cap. 52, sec. 124, from the separate fund of the Company.

When it was in contemplation to increase the capital stock of the Company in 1797, it was found that the payment of this dividend to the Proprietors of the new stock would have exhausted the separate fund, previous to the expiration of the present term of the Company's exclusive trade. To guard against this, a clause was inserted in the Act of 37th of His Majesty, cap. 31, authorizing the payment of a dividend of ten shillings per cent. to the Proprietors of the increased stock, from the annual profits of the Company's trade.

The additional stock has not been raised, and the separate fund has been found adequate to the payment of the dividend of ten shillings per cent. upon the existing capital hitherto, and will continue to be so until the year 1819, when it will be nearly exhausted.

As the Proprietors have derived from the dividends little more than five per cent. on the capital, it appears to us that, on the renewal of the Company's privileges, they may entertain a reasonable expectation of continuing to receive this addition of ten shillings to the usual dividend of 10l. per cent.; and as the separate fund will not, as stated above, be sufficient for the purpose, during any probable term, for which the renewal may be granted, we take the liberty of submitting to your Lordship's consideration the expediency of providing for the additional dividend, out of the general profits of the Company.

The other point to which we request your Lordship's attention is, the payment of the Property-duty on the dividends. The Court of Directors and the Proprietors have always considered it a hardship, that this duty was not allowed to be paid from the profits of the Company; we have the honour to enclose copies of letters on this subject, which were addressed to Lord Castlereagh in 1803 and 1804, and we flatter ourselves that the arguments they contain will induce your Lordship, when the question of renewing the privileges of the Company is under discussion, to recommend that authority may be given to make the Property-duty on the dividends a charge on the general profits of the Company.

As the profits of the Company were specifically appropriated by the Act of 1793, some difficulty may possibly, from that circumstance, have occurred in conceding this point; but as, in any new arrangement, the subject of appropriation will necessarily undergo considerable modification, we should hope that the objection formerly urged may easily be obviated.

If it should be finally determined, that the surrender of any considerable proportion of the exclusive privileges of the Company is to be made, it appears to be the more necessary, that some boon should be held out to the Proprietors in alleviation of the sacrifices to which their consent may be required; we hope, therefore, we may be permitted to indulge a confident

expectation of your Lordship's favourable consideration of the points now submitted. We have the honour to be, my Lord, &c.

JACOB BOSANQUET,
The Right Hon. HUGH INGLIS,
Lord Visc. Melville, W. F. ELPHINSTONE,
&c. &c. &c. EDWARD PARRY,
CHARLES MILLS.

At a SECRET COURT of DIRECTORS,
held on Tuesday, the 24th March
1812.

The Chairman from the Committee of Correspondence laid before the Court a Letter from Lord Melville to the Chairman and Deputy, dated the 21st instant, stating his sentiments in reply to their Letter of the 4th instant, and enclosing a paper containing "Observations on the Hints suggested by the Deputation of the Court of Directors, 3d of March 1812."

The Chairman also laid before the Court a Letter from Lord Melville to the Chairman and Deputy, dated the 23rd instant, in reply to the two Letters which the Deputation from the Court of Directors addressed to his Lordship on the 18th and 19th instant.

The same were read.

The Chairman then moving the Court, Ordered, that the several Papers now read, together with the other Correspondence, which has passed, respecting the negotiation for the renewal of the Company's exclusive privileges, be laid before the General Court to be held to-morrow, and printed, as speedily as possible, for the information of the Proprietors.

LETTER from the Right Honourable Lord Viscount Melville to the Chairman and Deputy Chairman; noticed in the preceding Minute.

India Board, March 21, 1812.

Gentlemen; I have delayed answering your Letter of the 4th instant (received the 6th) until I could transmit to you, at the same time, replies to the several propositions brought forward by the Deputation of the Court of Directors, at our conference on the 4th instant.

In submitting to you these observations, however, I beg to be distinctly understood, as conveying to you only the present sentiments of His Majesty's Government on the several points to which the propositions relate. Public discussion on such an important question, may possibly produce an alteration of opinion on some of the details; and though the subject has

been fully considered, it may be deemed necessary, in the further progress of the measure, to propose, on some points, regulations of a different description from those which are suggested in the enclosed observations.

The Court of Directors are perfectly correct in supposing that it is now, as it has been for a considerable time past, the fixed intention of His Majesty's Government, to withhold their concurrence from any proposition which might be submitted to Parliament for continuing to the East India Company their privileges of exclusive trade on their present footing. It is unnecessary now to discuss whether the provisions of the Act of 1793 (by which the Company's monopoly was so far relaxed, as to admit the goods of private merchants to be conveyed in the Company's ships) have in any degree fulfilled the expectations or intentions of the legislature. It will not be denied, that the facilities granted by that Act have not been satisfactory, at least to the merchants, either of this country or of India. They have been the source of constant dispute, and they have even entailed a heavy expence upon the Company, without affording to the Public any adequate benefit from such a sacrifice. You will do me the justice to recollect, that in all our discussions on this subject, both recently and on former occasions, the admission of the ships of merchants in this country into the trade of India, in concurrence with those of the Company, has never been urged as a measure, from which much immediate benefit would, in my opinion, be derived, either to the country or to the individuals who might embark in the speculation; and I certainly am not without considerable apprehension, that, at least on the first opening of the trade, the public expectation, as to the British territories in India affording any considerable outlet for British manufactures, beyond the amount of our present exports, may be disappointed. On that admission, however, and on the necessity of guarding against the unrestrained intercourse of Europeans with the territories of the Company, or of the native States in India (in which also I fully concur), nearly the whole of the arguments adduced by the Court of Directors against any opening of the trade are founded. But it must be recollected, that in determining the question, as to continuing the whole or a part of the Company's monopoly, it will be the duty of Parliament

to consider, not merely whether it may be safe to prolong it, but whether it may be unsafe to abridge or abolish it. As far as relates to the trade with India, and several other countries included within the limits of the Company's Charter, the Court do not appear to have succeeded in establishing the proposition, that any detriment will arise to the public interest, either in this country or in India, or ultimately even to the interest of the Company themselves, from the introduction of private adventurers. If the Company carry on their trade more expensively and with less activity and industry than private individuals, it is unjust to the country as well as to the inhabitants of British India, that the exclusive monopoly should be continued; and in such a state of things, the trade is more likely to be advantageous to the country, and beneficial to the individuals in their hands, than in those of the Company: but if the latter shall conduct it with skill and enterprise, and with due and unremitting attention to economy, the extent of their capital, and the superior facilities which they must continue to possess, of providing their investment in India at the cheapest rate, will undoubtedly afford them the means of successful rivalry with all other competitors.

In adverting, in your letter of the 4th instant, to the statement contained in mine of the 17th December, on the proposed transfer of the Company's army to the Crown, you do not appear to have understood accurately the purport of my suggestion. I entertain no doubt, as to the expediency of continuing to the Company's Government in India the supremacy of their military, as well as civil authority: but though various regulations may possibly be necessary, with a view to promote the discipline and efficiency of the army in India, I am not aware, that any legislative enactments are requisite, except as to the amount of force which His Majesty may be empowered to maintain in India, at the expense of the Company, and perhaps also some provisions, in regard to the relative powers of the Board of Commissioners and the Court of Directors.

In your letter of the 4th instant, you advert to the question as to how far it may be expedient to admit into the trade with this country, ships built in India and manned with Indian seamen. This is undoubtedly an important consideration, as it involves in it, to a certain extent, a de-

parture from the principles on which the navigation system of this country has hitherto been conducted. As far as the East India Company is concerned, it will probably be necessary to leave the matter on its present footing, during the continuance of the war; but if the trade with India is to be opened to all British ships, in the manner already pointed out, there seems to be no sufficient reason for breaking in upon the system of our navigation laws, by permitting any other than British ships, with a due proportion of British seamen, to import colonial produce into the United Kingdom.

I have not thought it requisite, in this letter, to trouble you with any observations on several points adverted to in yours of the 4th instant, which are also noticed in the enclosed paper of Hints and of Replies to the several Propositions. I shall abstain also from any remarks on the calculations detailed in your letter, and which are introduced more with the view, as I conceive, to vindicate the Company in their past management of the exclusive trade to India and the government of their territorial possessions, than to any practical results to be derived from your statement, in relation to the matters at present in discussion between His Majesty's Government and the Court of Directors. The Committee of the House of Commons on East India Affairs have already submitted to the House detailed statements on that part of the subject, and in any further reports which they may present they will probably complete the investigation. I am, Gentlemen, &c.

MELVILLE.

To the Chairman and Deputy Chairman of the East-India Company.

OBSERVATIONS on the Hints suggested by the Deputation of the Court of Directors, 3d March 1812; adverted to in the foregoing Letter.

1st, 2d, and 3d. It is deemed advisable, with a view to the security of the revenue and to other objects connected with the trade to China, to leave it on its present footing, and to guard, by proper regulations, against any encroachment on that branch of the Company's exclusive privilege.

4th. This proposition ought to be acceded to; with the reservation, however, that the Governments in India ought to be restricted from imposing new duties, with-

out the previous sanction of the authorities in England,

5th. The Company are understood to have, in some degree, the power of regulating the internal trade of saltpetre in India; it appears, therefore, to be scarcely necessary to impose any other restrictions on the exportation of saltpetre from India, than such as may be deemed expedient for political objects, especially in time of war.

6th. The adoption of the regulation suggested in this proposition, will probably tend to the security and advantage of the public revenue, in collecting the duties on all articles imported from the East Indies and China, as well as other countries to the eastward of the Cape of Good Hope.

7th. The Company ought at least to be indemnified from the charges incurred by this management.

8th. There does not appear to exist any sufficient reason for preventing ships from clearing out for the East Indies from other ports of the United Kingdom besides the port of London.

9th. It will be necessary, either by the regulations suggested in this proposition, or by others of a similar description, to guard against the evil therein described.

10th. It will probably be necessary to regulate the exportation of military stores to the East Indies, and also of naval stores in time of war.

11th. It is understood that the object of this proposition is to secure to the manufacturers of piece goods in India the continuance of regular and constant employment, under the same system of local management, for their benefit, which prevails at present. If that object is likely to be attained, without continuing the restrictions mentioned in this proposition, it certainly would be desirable that they should cease, except in so far as it may be necessary to regulate the importation of Indian piece goods, with a view to the protection of British manufactures.

12th. As no such restriction exists at present in the importation of silk by private merchants, and as the reasons which have hitherto been adduced, on the part of the Court of Directors, for establishing such a regulation, though entitled to much consideration, do not appear to be conclusive, it will scarcely be deemed expedient to agree to this proposal.

13th. This suggestion appears to be perfectly reasonable.

14th. It is understood, that this proposition is founded on a principle of guarding against the dangers to which vessels of less burthen than four hundred tons would be exposed on a voyage to the East Indies, and also of providing for the security of the revenue, which might be affected by permitting importations in smaller vessels. These reasons, though entitled to due consideration, do not appear to be sufficiently strong to justify the proposed restriction, or the making a distinction, in that respect, between ships trading to the East Indies and to other countries.

15th. This seems to be reasonable.

16th. It will be necessary to provide, by proper regulations, for the care and maintenance of these persons, and for their return to the East Indies.

17th. This proposal would be wholly inadmissible, unless it were limited to such unexpired engagements as do not extend beyond March 1814, when the Company's present term of exclusive privileges will expire; but the Public may fairly look to the Company to bear this burthen, as a compensation to a certain extent, for the continuance of the exclusive trade to China.

18th. It will be indispensably necessary, for the purpose of guarding against the inconvenience herein alluded to, that the existing restrictions shall be continued, with such alterations as may be requisite in the new system of trade.

19th. The number of His Majesty's forces to be maintained by the East India Company may, without inconvenience, be limited, as herein suggested. It will be necessary, however, in consequence of the increased extent of the British territories in India, since the passing of the Act by which the number is at present regulated, that a considerable addition should be made to it.

20th. It will be necessary, that the present system of accounting between the East India Company and the Paymaster General should be abolished, and new regulations enacted.

21st. These demands must necessarily be arranged on the principles suggested by the Committees of the House of Commons, who have reported upon the subject of the accounts herein referred to. If it were necessary or proper, in discussing the future regulations which it may be deemed advisable to establish, respecting the affairs of the East India Company,

there would be no difficulty in demonstrating, that the amount of force maintained in India has not gone beyond what was requisite for the defence and security of the Company's possessions, and for other operations, intimately and inseparably connected with those objects.

22d. The Proprietors ought to be secured, as at present, in their dividend of ten and a half per cent.

23d. The whole of the surplus funds of the East India Company, at home and abroad, ought to be applied, in the first instance, to the reduction of debt, till it is reduced in India to the sum of ten millions, and the bond debt at home to the sum of three millions, after providing for a proportionate increase of the capital stock of the Company, if they shall think fit to avail themselves of the power now vested in them by law to that effect.

24th. It is intended to submit to Parliament a proposition to that effect, or similar in substance.

25th. If the object adverted to in this proposition can be obtained by exclusion from the dominions of the Emperor of China, and a prohibition to import the produce of that country without licence from the Company, it will be preferable to the mode herein suggested. There seems to be no reason for excluding the private trade from the Spice Islands.

LETTER from the Right Hon. Lord Viscount Melville to the Chairman and Deputy Chairman; also noticed in the Minute above-mentioned.

India Board, 23d March, 1812.

Gentlemen; I have had the honour to receive the two letters which the Deputation from the Court of Directors addressed to me, on the 18th and 19th instant.

It is undoubtedly reasonable, that the further term now proposed to be granted to the East India Company of their privileges of exclusive trade and the government of the British territorial possessions in India, should be for such a period, as may be sufficient, if unforeseen contingencies do not arise, to produce a considerable reduction of the debt, both in India and at home. The experience, however, of the last twenty years, has sufficiently demonstrated, that it is impossible to calculate, with any degree of accuracy, on what may be the state of the Company's

affairs in India at the expiry of another period of the same duration. If they are prosperous, the same term as was granted in 1793 will be sufficient for the purposes described in your letter of the 18th; but if untoward events shall occur, and the Company shall be again engaged in expensive wars, it will be desirable that parliament should have the opportunity of reconsidering the subject, and of making such new provisions as the case may appear to require. Under those circumstances, I do not think it will be advisable to propose a longer term than what was granted by the Act of 1793, viz. twenty years from the expiry of the existing period, with three years previous notice.

I have no hesitation in admitting that the suggestion in your letter of the 19th instant, relative to the continuance of the dividend of ten shillings per cent. on the existing capital of the East India Company, after the separate fund shall be exhausted, is reasonable, and that it will be proper to comply with it.

Your proposition, in regard to the payment of the Property-tax, requires much more consideration, and I cannot, at present, bring myself to concur in the expediency of agreeing to submit it to Parliament. A confident expectation may be entertained, from the state of the Company's revenues in India, and from the reduction of expence which has already taken place, or which may still be effected, both at home and abroad, by means completely within your power, that a large annual surplus will be available towards the reduction of debt; but when it is recollected, that though the amount of the debt in India has recently been considerably diminished, it has been proportionably increased at home; and considering, also, that provision must be made, for the possible contingency of the Company having to pay, in this country, the interest, not only of their large debt at home, but also of the whole debt of India, I do not think that it would be wise or prudent, at least till after the experience of a few years, to make an addition to the permanent charges of the Company at home, to the amount of the Property-tax upon their dividends. I am, Gentlemen, &c,

MELVILLE.

The Chairman and Deputy Chairman of the East India Company.

REPORT ON AMERICAN CLAIMANTS PETITION *.—*Ordered, by the House of Commons, to be printed, 25 March 1812.*

The COMMITTEE to whom the Petition of the several Persons whose names are thereto subscribed, on behalf of themselves and others, whose Claims have been adjudged good by the Commissioners appointed by the Act of Parliament passed in the 43d year of His Majesty's reign, intituled, 'An Act for appointing Commissioners for distributing the Money stipulated to be paid by The United States of America, from the Convention made between His Majesty and the said United States, among the Persons having Claims to Compensation out of such Money,' was referred;—Have, pursuant to the Order of The House, examined the matter of the said Petition; and have agreed upon the following REPORT:

It appears to Your Committee, that an extensive Commerce, in British manufactures and other articles, was carried on between America and Great Britain before the war of 1776 with America: and in the course of such commerce a very large credit was given to America, so that at the time when hostilities commenced, a Debt, amounting to several millions, was due from the Citizens of America, to the British Merchants, and considerable sums to others His Majesty's subjects, and that during the continuance of the war, it was scarcely possible to recover any part of such debt.

That by the 4th Article of the Treaty of Peace between His Majesty and the United States of America, signed at Paris 3d September, 1783, it was provided, "that Creditors on either side should meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts theretofore contracted."

That in breach of this Article of the Treaty, certain laws were made in the different States of America, immediately subsequent to the Peace, for the direct purpose, as it appeared to one of the Witnesses, of defeating that Article; and

other laws which had been made prior to the Treaty of Peace, and during the war, and which ought to have been repealed in conformity to the Treaty, remained still in existence; and by the instructions given by Judges to Juries, and the practice of American Courts, the plea of "British Debt" was held in those Courts to be a good plea, and decisive against the claimants.

That by these means the recovery of debts to a very great amount was prevented; and in consequence thereof many and urgent representations were made by the British Creditors, to His Majesty's Government, complaining of the existence of legal impediments in America, which, by preventing the recovery of debts in that Country to British Subjects, rendered altogether ineffectual the provision contained in the 4th Article of the Treaty of Peace. That the case of the British Creditors occupied a very considerable portion of the time and attention of Lord Grenville, after he became Principal Secretary of State for Foreign Affairs; and his Lordship appears to have been convinced that such representations were perfectly well founded. And the redress of these grievances being an object of primary importance with the Government in negotiating the Treaty of Amity, Commerce, and Navigation concluded between His Majesty and the United States of America in the year 1794, it was by the 6th Article of that Treaty agreed, that in all cases where full compensation for the losses and damages sustained by British Subjects by the operation of lawful impediments to the recovery of their debts subsequent to the Peace could not be obtained by the Creditors in the ordinary course of justice, the United States would make full and complete compensation for the same to the said Creditors; and that for the purpose of ascertaining the amount thereof, five Commissioners should be appointed, of whom three were to constitute a Board, with full power; and all decisions were to be made by the majority of the Commissioners present, and their Award to be final and conclusive. And the United States undertook to cause the sums awarded to be paid in specie to the Creditors without deduction.

* See the Petition in Vol. 21, p. 281.

That another Article (the 7th) was introduced into the said Treaty, in favour of the Citizens of the United States, whereby it was in like manner agreed, that in all cases where adequate compensation for the losses and damages sustained by American Citizens, by irregular or illegal captures or condemnations of their vessels and other property during the course of the war in which his Majesty was then engaged, could not be obtained in the ordinary course of justice, the British Government would make full and complete compensation to such American Citizens; and that for the purpose of ascertaining the amount thereof, Commissioners should be appointed in like manner, and with the like powers in all respects as the Commissioners under the 6th Article.

That this Treaty was negotiated by Lord Grenville in person, and that a system of reciprocity was in his Lordship's view, and, as his Lordship believed, in that of the American Minister, meant to be established by the said 6th Article, containing stipulations in favour of his Majesty's subjects, and the 7th Article, containing stipulations in favour of the subjects of the United States.

That a Board of Commissioners, duly appointed under the 6th Article of the said Treaty, met accordingly at Philadelphia in May 1797, and Claims were brought in before them to the amount of 5,638,629*l.* sterling. That, after certain progress had been made in deciding on principles necessary to regulate the decision of the Commissioners on the Claims made before them, and after a controversy which arose, and continued for a long time, the American Commissioners adopted the practice first (in the course of the year 1799) of withdrawing themselves from the Board, when they found the opinion of a majority of the Board against their opinions, the American Commissioners alleging, that the stipulation of the 6th Article did not require them to give effect, by their presence, to proceedings which they said they deemed injurious to the just rights of the United States, and which they also stated they believed it to be their duty to resist in such cases, by all the means to which the Treaty enabled them (as they stated) to resort. That they afterwards entirely absented themselves, and withheld their attendance; by reason of which no effectual proceedings could be had, it being necessary by the Treaty, that one Commissioner on each

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side and the Fifth Commissioner should be present. The British Commissioners and the Fifth Commissioner continued to attend for more than a twelve-month after the withdrawing of the American Commissioners, who had given in a minute, implying, as stated by Mr. Macdonald, that they would not attend without certain radical points were conceded, which, in the opinion of the other Commissioners, being a majority of the Board, would have defeated the object of the Treaty. That in the month of August 1800, Mr. Macdonald, who was the First Commissioner named on the part of his Majesty, returned to Great Britain; and the conduct of the British Commissioners, in the whole of the proceedings under the said Commission, was most highly approved by his Majesty's Government.

That the execution of the said 7th Article was suspended by orders from the British Government in July 1799, immediately upon Government being apprised that the proceedings of the Commissioners at Philadelphia, under the 6th Article, had been interrupted; and that such suspension was continued until after the Convention of 8 January 1802, hereinafter mentioned.

That previously to the signing of the Treaty of Amity in 1794, communications were made from Lord Grenville to Messrs. Nutt and Molleson, who acted as a Committee for the London Creditors, enclosing Questions, in order to collect information of the Claimants, whether they would prefer a fixed sum in lieu of all their claims, or the adoption of measures for opening the Courts of Law in America to British Creditors, with an appeal to some special Court or Commission.—These questions, however, were not put as a proposal to which their consent was required, but as a matter for consideration, and on which the King's Government wished to have their sentiments, it being the desire of Lord Grenville to inform himself of the wishes of the Claimants on the subject as fully as possible, before any step was taken.—These questions also appear to have been transmitted to the Glasgow Creditors, and a correspondence in consequence took place; whereby it appears that the whole sum which, upon a scale of compromise therein mentioned, the Claimants wished to be negotiated for, or to be provided by the British Government, would not probably amount to much more than 2,000,000*l.* sterling.

(N)

That in or about the month of April or May 1800, subsequent to the interruption of the proceedings of the Commissioners at Philadelphia, Lord Grenville made the following Propositions to the Claimants, which his Lordship thought were stated to them in the same manner as the Questions in 1794; viz.

First: A renewed Commission, in conformity with the Treaty of Amity.

Second: Or, to accept a sum of Money in lieu of the Claims under the 6th Article of the Treaty of Amity.

That various communications, in consequence of these Propositions, took place between the London and Glasgow Committees or Agents of the Claimants and Lord Grenville; in some of which the Claimants expressed their wish for a stipulated sum to be paid to them, finally to put an end to the whole business; and with regard to the amount of the sum (they stated) they were more at a loss from not knowing the exact amount which had been claimed under the 6th Article of the Treaty of 1794, or the manner in which the different claims had been made up with regard to interest, &c.; but, from what they were informed of the amount being about Five Millions, and allowing that some part might be cut off, either from being improperly claimed or not sufficiently ascertained, both of which might be better known to his Majesty's Ministers (as they stated) and deducting such payments as might have been made on their debts before the ratification of the proposed agreement, they were willing, on obtaining the guarantee of the British Government, to accept of Two Millions and an half sterling, rather than those claims should continue as a subject of contention and a source of discontent between the two Countries, or that they should experience the hardships and vexations which they had reason to expect in the prosecution of their debts in that country.

That his Majesty's Ministers declined advising his Majesty to guarantee to the Creditors the payment of any sums which the American Government might agree to give in liquidation of their demands.

That in or soon after December 1800, during the negotiation which led to the Convention between his Majesty and the United States in January 1802, Mr. Macdonald, at the request of the Under Secretary of State for Foreign Affairs, communicated to him, that he conceived a sum between a million and an half and two

millions, would be a fair sum to be demanded from the United States, for the loss which their laws or judicial practice in breach of the Treaties had brought upon the Creditors. And afterwards, on 4th May 1801, Mr. Macdonald, in answer to certain verbal enquiries, made a further communication to Mr. Hammond, Under Secretary of State for Foreign Affairs, that he imagined a fair execution of the Treaty of 1794 would have made good about two millions of the sums claimed.

That other communications were made in the year 1801 to his Majesty's Government by the Claimants, urging his Majesty's Ministers to take measures to procure their just demands, and stating, that if that was not done, their only resource would be to throw themselves, by an application to Parliament, upon the justice of the Nation, for fulfilment of the 4th Article of the Provisional Treaty with America, and of the 6th Article of the Treaty of Amity; or if, for political reasons, the execution of these Articles on the part of America should not be rigorously executed, that compensation should be made to the Claimants by Great Britain.

That a Convention was signed on 8th January 1802, between his Majesty and the United States of America, whereby the United States engaged to pay, and his Majesty consented to accept, for the use of the persons described in the said 6th Article of the Treaty of 1794, the sum of 600,000*l.* sterling, in satisfaction and discharge of the Money which the United States might have been liable to pay in pursuance of the provisions of the said 6th Article; which was thereby declared to be cancelled and annulled, except so far as the same might relate to the execution of the 7th Article of the said Treaty. And it was further agreed, that the Commissioners appointed in pursuance of the said 7th Article, and whose proceedings are therein and hereinbefore mentioned to have been suspended, in consequence of difficulties having arisen in execution of the 6th Article, should immediately reassemble and proceed in the execution of their duties.

That the said Convention was first communicated by Lord Hawkesbury, then Secretary of State for Foreign Affairs, on the 14th day of January 1802, to the Committee of London Claimants. And they, by letter dated the 19th of that month, and the Committee of Glasgow

Claimants, by a letter dated the 24th of the same month, expressed their dissatisfaction therewith, and claimed the due execution of the 6th Article of the Treaty of 1794, or a proper compensation for their losses.

That the said Convention was concluded by Lord Hawkesbury without the concurrence of the British Claimants, and his Lordship stated, that he could not speak as positively from recollection whether without their privity, but he had no reason to think it was with their privity; and he also said, that when he came into office as Secretary of State for Foreign Affairs, he had a personal communication from Lord Grenville, of all the circumstances of the Negotiation as it then stood; that he had likewise one conversation at least with Mr. Pitt upon the subject; that his Lordship had likewise several interviews with Mr. Molleson and Mr. Nutt, and he had also access to all the documents at that time in the office—That the result of this information was an opinion formed by his Lordship, that the Claimants had no chance of recovering their dues in the American Courts—That the sum of 600,000*l.* then offered by the American Government was as large a sum as could be obtained, and that in consequence of the unfavourable change that had taken place in the American Government towards the end of the year 1800 or beginning of the year 1801, by the Federal Administration being changed for that of Mr. Jefferson and his friends, his Lordship was of opinion that if the offer then made had been refused, so favourable an offer was not likely to be renewed. And his Lordship having been asked whether the circumstances alluded to in his Lordship's answer had any object in them of a national nature, or were confined simply to the probability and improbability of the recovery of the demands made by the British Merchants, said, that he conceived the considerations to have been of both descriptions; that at the time when his Lordship accepted the sum of 600,000*l.* the 7th Article of the Treaty of Amity had been suspended; but the sittings of the Commissioners under the 7th Article of the Treaty of Amity, recommenced soon after by virtue of the 3rd Article of the Convention, and the sum of 1,369,448*l.* 15*s.* 10*d.* was paid by his Majesty's Government to American Citizens, in pursuance of awards made by the Commissioners under those Articles, ex-

cept only a sum of 25,284*l.* 14*s.* 1*d.* which had been previously paid in the year 1798.

That in March 1803 the Claimants presented a Memorial to his Majesty's Government, and had an interview with Mr. Addington, the Chancellor of the Exchequer, and thereby protested against the proceedings of Government in accepting the said sum of 600,000*l.*; whereupon Mr. Addington said he considered their case to be a hard one, so much so, that he had no objection to the Claimants applying to Parliament or to his Majesty's Government; but that he meant to give no opinion upon the merits of the case, and that as the losses were not ascertained, he did not conceive that Parliament would then entertain a Petition—To which the Claimants acceded, laying in their claim that such acquiescence should not be considered as barring them from bringing forward their case at a future time. And accordingly the Claimants did not then present any Petition to Parliament.

That an Act of Parliament was passed in April 1803, for the apportioning, dividing and distributing the said sum of 600,000*l.* amongst the several persons who should be found entitled to receive compensation out of the same; and Thomas Macdonald, Esquire, Henry Pye Rich, Esquire, and John Guillemard, Esq. were thereby appointed Commissioners, whose adjudications were to be final.

That the Commissioners so appointed were the same persons who had acted as the British Commissioners and the Fifth Commissioner at Philadelphia under the Treaty of 1794. And claims were made by the King's Subjects in general of various descriptions, to the amount of 5,408,766*l.* 6*s.* And the Commissioners made adjudications thereon, to the amount in the whole of 1,420,000*l.* which were not completed until the 19th May 1811.

That such adjudications proceeded on an estimate in every case, from the various materials before the Commissioners, of the loss which they conceived had been sustained by the respective parties, and did not comprehend any losses excepting those which America was bound to compensate under the 6th Article of the Treaty of Amity; besides which, it appeared from the materials before the Board, that the British Creditors had sustained great losses for which the United States were not bound to give compensation under the

6th Article of the Treaty of Amity, in furtherance of the 4th Article of the Treaty of Peace.

That the Commissioners having thus made adjudications in favour of various Claimants, to the amount in the whole of 1,420,000*l.* have apportioned and divided amongst those persons the above-mentioned sum of 600,000*l.* together with the further sum of 59,493*l.* which had been made as interest by investing the said

principal sum in Exchequer Bills previous to its being divided amongst the Claimants; and the difference between the 659,493*l.* so divided, and the 1,420,000*l.* so adjudged, together with interest on such difference, from the 1st day of June 1804 (to which day the interest on the sums adjudged, had, by order of the Commissioners been calculated) constitutes the sum for which the Petitioners make the present application.

25 March 1812.

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